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4. A place of Repentance; or an Account of the London Colonial Training Institution and Ragged Dormitory, for the Reformation of Youthful and Adult Male Criminals, Great Smith Street, Westminster. By Samuel Martin, Minister of Westminster Chapel. Second Edition. London: James Nisbet and Co., 1852.
5. Juvenile Depravity. £100 Prize Essay. By Rev. Henry Worsley, M.A., Late Michel Scholar of Queen's College, Oxford, Rector of Easton, Suffolk. Dedicated By Special Permission to the Lord Bishop of Norwich. 1 vol. London: Charles Gilpin. 1849.

I.—6. London Labour and the London Poor; A Cyclopædia of the Condition and Earnings of those that Will Work, Those that Cannot Work, and Those that Will Not Work. By Henry Mayhew, 2 vols. London, 1851.

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11. Chapters on Prisons and Prisoners. By Joseph Kingsmill, M.A., Chaplain of Pentonville Prison, London. Second Edition, 1 vol. London: Longman and Co., 1852.

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3. On Famine and Fever, as Cause and Effect in Ireland ; With Observations on Hospital Location, and the Dispensation in Out-door Relief of Food and Medicine. By D. J. Corrigan, M.D., M.R.C.S.E. Dublin : Fannin and Co. 1846.

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4. "Leaders" of "The Times" of December 22nd, 1853, and June 7th, 1854.

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6. Crime, Its Amount, Causes and Remedy. By Frederick Hill, Barrister-at law, late Inspector of Prisons. London: Murray, 1853.

7. Report of Committee on Criminal and Destitute Juveniles. Presented to the House of Commons, December, 1852.

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10. Report of a Charge Delivered to the Grand Jury of the Borough of Birmingham, at the Michaelmas Quarter Sessions for 1848. By the Recorder. London: Charles Knight, 1848.
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4. Education in Great Britain, Being the Official Report of Horace Mann of Lincoln's Inn, Esq., Barrister-at-Law, To George Graham, Esq., Registrar-General; with Selected Tables. London: Routledge and Co. 1854.
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8. The Social Condition and Education of the People in England and Europe; Shewing the Results of the Primary Schools, and of the Division of Landed Property, in Foreign Countries. By Joseph Kay, Esq., M.A. of Trinity College, Cambridge; Barrister-at-Law; and late Travelling Bachelor of the University of Cambridge. London: Longman and Co. 1850.
9. Public Education as Affected by the Minutes of the Committee of Privy Council, from 1846 to 1852; with Suggestions as to Future Policy. By Sir James Kay Shuttleworth, Bart. London: Longman and Co. 1853.
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3. *Memoirs of Convicted Prisoners; Accompanied by Remarks on the Causes and Prevention of Crime.* By the Rev. H. S. Joseph, Chaplain of Chester Castle. London: Wertheim and Mackintosh, 1853.
4. *A Place of Repentance; or an Account of the London Colonial Training Institution and Ragged Dormitory, for the Reformation of Youthful and Adult Male Criminals, Great Smith Street, Westminster.* By Samuel Martin, Minister of Westminster Chapel. Second Edition. London: James Nisbet and Co., 1852.
5. *Juvenile Depravity.* £100 *Prize Essay.* By Rev. Henry Worsley, M.A., Late Michel Scholar of Queen's College, Oxford, Rector of Easton, Suffolk. Dedicated By Special Permission to The Lord Bishop of Norwich. 1 vol. London: Charles Gilpin, 1849.
6. *London Labour and the London Poor; A Cyclopædia of the Condition and Earnings of those that* Will *Work, Those that* Cannot *Work, and Those that* Will Not *Work.* By Henry Mayhew, 2 vols. London, 1851.

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9. *Meliora: or, Better Times to Come. Being the Contributions of Many Men Touching the Present State and Prospects of Society.* Edited By Viscount Ingestre, 1st series, 2nd Edition 1852: 2nd series, 1853. London: John W. Parker and Son.

10. *The Social Condition and Education of the People in England and Europe; Shewing the Results of the Primary Schools, and of the Division of Landed Property, in Foreign Countries.* By Joseph Kay, Esq., M.A., of Trinity College, Cambridge, Barrister-at-Law; and Late Travelling Bachelor of the University of Cambridge. 2 vols. London: Longman and Co., 1850.

11. *Chapters on Prisons And Prisoners.* By Joseph Kingsmill, M.A., Chaplain of Pentonville Prison, London. Second Edition, 1 vol. London: Longman and Co., 1852.

12. *Prison Discipline; and the Advantages of the Separate System of Imprisonment, with a Detailed Account of the Discipline Now Pursued in the New County Gaol, At Reading;* By the Rev. J. Field, M.A., Chaplain. 2 vols. London: Longman and Co., 1848.

13. *University and Other Sermons.* By John Field, M.A., of Magdalene Hall, Oxon, Chaplain of The Berkshire Gaol, Reading, 1 vol. London: Longman and Co., 1853.

14. *Crime: its Amount, Causes and Remedies.* By Frederick Hill, Barrister-at-Law, Late Inspector of Prisons, 1 vol. London: John Murray, 1853.

15. *Crime in England, Its Relative Character and Extent, as Developed From* 1801 *To* 1848. By Thomas Plint. London: Charles Gilpin, 1851.

16. *Report on the Discipline and Management of the Convict Prisons, and Disposal of Convicts*, 1852, *With Notes on the Convict Question, Construction of Prisons, Hard Labour, &c., &c.* By Lieut. Col. Jebb, C. B., Surveyor-General of Prisons, Chairman of the Directors, &c. Presented to both Houses of Parliament, by Command of Her Majesty. London: 1853.
17. *Reports of the Directors of Convict Prisons on the Discipline and Management of Pentonville, Parkhurst, and Millbank Prisons, and of Portland, Portsmouth, and Dartmoor Prisons, and the Hulks, for the year* 1852. Presented to both Houses of Parliament by Command of Her Majesty. London: 1853.
18. *Social Evils: Their Causes and their Cure.* By Alexander Thomson, Esq. of Banchory. London: James Nisbet and Co. 1852.
19. *Reformatory Schools, For the Children of the Perishing and Dangerous Classes, and for Juvenile Offenders.* By Mary Carpenter. London: C. Gilpin. 1851.

We have already written,* at considerable length, upon the lamentable moral and social condition of the laboring poor in our town and agricultural districts; but painful as that essay, in all its patent facts and indisputable evidences was, it disclosed its chiefest, and most appalling truth, in the statement that the mode of live revealed was not guilty in the eye of the Legislature, though black and hideous in its habitual sin, judged by the unchanging laws of an omniscient Almighty. Thus having placed before the mind of the reader, the state of those who are not criminal according to the national code, we shall, in our present paper, display the causes which conduce to make those guilty whom the law so considers, and we shall indicate the failures and the successes of the various methods of reformatory punishments which the Executive has adopted, under the different species of Prison Discipline—referring particularly to the state of our destitute and criminal juvenile poor, or, as they have been, with woful appropriateness, designated—"our Home Heathens."

Why, it has been frequently asked, is crime so prevalent

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* See IRISH QUARTERLY REVIEW, Vol. III. No. 10. p. 299. Art.—The Garret, The Cabin, and The Gaol.

and so glaring, in a country great, and intelligent, and noble as England? Upon whatever shore her sons may reside, her freedom and her Bible become the first gifts which these sons offer to the people amongst whom they sojourn. England expends millions annually in propagating scripture truth: in every island of the far off seas her Missioners raise the hymn of praise, and teach the fierce savage the law of love, of truth, and the great mystery of expiation. At home, in our own Kingdoms, churches rise in every quarter of the land, and devoted to the service of Religion is a Press, able and honest, and issuing publications so cheap that none who desire to read them can, through poverty, fail to obtain the wished for work. Schools, and hospitals, and poor houses, charitable institutions that give a christian nobleness to the name of England, are open to all who need their aid. An active, intelligent, police watch over the internal peace and security of the Nation, and our prisons are in all points calculated to secure the custody of the offender against the laws:—yet, notwithstanding the Christianity, the care, the wealth, the wisdom, which distinguish the policy of England, the great mass of our poor are ignorant of God's law, thousands of our criminals know not the name of Christ, our juvenile poor are every day becoming, more and more, a race of juvenile yet hardened offenders—whilst children in years cursed with all the evil propensities of men—the great majority of our prisons are but the seminaries of vice, the plotting places of crimes, whilst our criminal law is little less than legislative vengeance, as cruel and undiscriminating as it is unphilosophical. We call Caligula a monster because he hung his table of edicts so high that none could read them, though all were punished for any infraction of the code—but the laws *were* written: we, a Christian Nation, treat our criminals worse than this heathen emperor treated his subjects—we punish their crimes, but we never taught them virtues. Despite these laws, and through these laws, crime has increased, and the number of the criminal population of London is now double that of the entire population of the city in the reign of Richard the Second.

The criminal population to which we refer is not that polluted by great offences against morality. True, we must bear in mind that murder, and foul crimes, are noted in the statistics of the prison reports, but the minor offences are those to which the legislator or the philanthropist must direct his

chief attention. Death to the murderer is the decree of the law, transportation is recorded against the robber; but the murderer may have been once but an ignorant man of strong untutored passions, the robber may have been a petty thief, who knew no law but the law of hunger, and whose instincts were only those of an animal. To check, to guide into christian peace, the violence of the former; to teach the rules of honesty and self-dependent industry to the latter, would have been the duty of a wise government had the offenders been before within the walls of a prison; had they been guiltless of former crime, their minds should have been blessed with sound education, and the principles of religious training; and had parents been unwilling to send them to educational institutions, the legislature should, in the exercise of its great power, have compelled the parents to permit the attendance of the child.

The whole philosophy of the important books before us tends to prove the accuracy of these statements. The course of crime is not an impenetrable mystery; and he who reads the calmly reasoned deductions adduced by Mr. Field, and Mr. Kingsmill, in detailing the sad experiences of their ministry, will learn that, although the convict may be frequently but suffering a just punishment for his crime, yet still more frequently he endures punishment for an offence, the primary cause of which may be fairly attributed to the imperfection of our system of legislation upon subjects affecting the social and moral state of the people. Though Crime in these Kingdoms, is of many phases of atrocity, it can, in most instances, be traced to its sources. The Rev. Mr. Kingsmill, Chaplain of Pentonville Prison, has had opportunities such as few men possess, of examining into the causes of crime. He took the cases of one hundred convicts, and from their own confessions arrived at the conclusion—and with this conclusion the reader of his book must agree—that the chief springs of vice are found in the bad example of parents, ignorance of religion, the difficulty of obtaining employment, bad company, idleness, poverty, bad books, and vicious amusements, such as cheap theatres, and dancing saloons, where, to other vices, the giant evil Drunkenness is superadded. The *Report of Committee on Criminal and Destitute Juveniles* affords remarkable evidence in support of this statement, and it is in all points most fully corroborated by Mr. Kay, by Mr. Field, and by Mr. Thomson.

None who read our Prison Reports can doubt that paren-

tal example, and even parental precept, are sure sources of crime. To minister to the parents' drunkenness, children are sent out to beg and steal in the cold streets at midnight, and if they return to their wretched homes—their kennels, unprovided with the required sum, blows and starvation are the unfailing penalties. Female children are sent out upon the world to bring home the wages of prostitution, to parents who are more degraded than the pagan. In these abodes of sorrow and crime the name of God is never heard but in imprecation, every command of the Almighty is outraged, and men and women live as if death were annihilation, and as if their souls were fraught with the instincts of a beast. We state here but plain facts which all men should know. Hundreds will read with horror this extract:—"J. D. is a thief. His father lives unlawfully with his mother, and also with one of her daughters by another person. Here they had long been all huddled into one small room. The younger female, on the occasion of my last visit, had twins in her arms about a week old, the children of this man."* These are appalling words, but in the *Reports of the City Mission*, in the *Ragged School Magazine*, in each of the books under review these facts, and others still more frightful, are recorded—and thus we learn the truth of the statement—that although the number of these aged from fifteen to twenty is not one tenth of the population, yet by this class of juvenile offenders one fourth of the national crime is committed. The number of boys of fifteen and under brought every fortnight before Mr. Sergeant Adams, Chairman of the Middlesex Sessions, is about 100; some are, he states, entirely without friends or relatives of any kind; some have profligate parents who neglect them; another class have step-fathers or step-mothers, who abuse and ill treat them; some have parents *who encourage them;* and almost all are quite uninstructed in religious, moral, and social duties. He adds, "I should say that the evil is far more deeply seated than in the *natural disposition* of the children themselves. I do not think *that they are naturally worse than other children;* but that their offences spring from the want of proper moral and reli-

* See "Notes and Narratives of a Six Years' Mission, principally among the Dens of London." By R. W. Vanderkiste. London: Nisbet and Co. 1853. p. 255.

gious education, and in the want of proper friends to attend to them."*

What a sad moral this statement conveys, but the facts upon which it is founded are still more sad, and the true causes of juvenile crime may be learned by all who walk through the poorer streets of our towns. On all sides are foul and hideous dens, where dwell, in godless ignorance, the parents of a race of future criminals. The steam ship may be built, the railway train, and the electric telegraph may be a blessing to the Nation, the steam press may print its thousands of sheets per hour, and send forth magic thoughts to bless the world, and make humanity all glorious, but the "City Arabs," the poor, cast-away human weeds, who grovel in the kennels, who are children only in form and years, will one day become our convicts; and whilst the power, and wealth, and fame of the Kingdoms advance, the condition of the poor retrogrades, and a great people act as if the sole duty of a Legislature consisted in permitting the continuation of abuses, involving the poor in sin and misery, and the tax payers in expense; and this is done though all admit, in the eloquent words of Channing, that a Government "should supply moral wants, snatch every child from perdition, and waken in him the spirit and powers of a man."

The poor cannot do these things, even if they would. They must go forth in the morning to toil for daily bread, and children then become an incumbrance, and are sent upon the streets to mingle with the bad and dishonest of the neighbourhood. Mr. Chesterton, the Governor of Coldbaths Fields House of Correction, stated to the Committee on Criminal and Destitute Juveniles; "I think one great cause of juvenile crime is the shocking state of the neighbourhoods in which those boys reside. They are contaminated by associating with profligate persons, from the utter impossibility of affording those children any recreation without allowing them to go into the streets, where they associate with bad characters. An honest labourer or drayman, for instance, taking a lodging in a locality where alone his means will permit him to live, must send his children into the streets; *and it is from thus associating with vicious characters in the streets that the boys become thieves and the girls prostitutes.*"

* See Report on Criminal and Destitute Juveniles. 1852.

Those children whose parents are unwilling to work, are sent out to beg, or steal; those who are orphans, or who are neglected by parents, prowl through the lanes and alleys of our towns by day, and at night sleep in those hells, the common lodging houses, or in carts, or under archways, exposed to all the contamination of those better schooled in vice, or more deeply stained by sin. In such places as these our destitute children sleep—and it is calculated that in the Metropoliton Police District alone, between 50,000, and 100,000 persons of both sexes, and of all ages, pass the night in these wretched spots.

Mr. Beames, in his valuable work, *The Rookeries of London*, attributes the existence of common lodging-houses to avarice upon the part of the proprietors, and to neglect upon the part of the Legislature. In some of the districts of London where the poor reside, he tells us that he has known twelve people to sleep in rooms measuring eight feet by twelve, whilst the ceiling was so low that a tall man could not stand upright in the apartment. He tells us that he has known young thieves, varying in age from six years to twelve, to club together and live in such rooms in parties of seventeen. Mr. Mayhew, in his *London Labor and the London Poor*, thus describes these common lodging houses. The description, frightful as it is, was the revelation of one who had lived in these houses, and Mr. Mayhew gives the words of the narrator:—

"The worst I am acquainted with, though I have not been in it lately, is in the neighbourhood of Drury-lane: this is the worst, both for filth, and for the character of the lodgers. In the room where I slept, which was like a barn in size, the tiles were off the roof, and as there was no ceiling, I could see the blue sky from where I lay. That may be altered now. Here I slept in what was called the single men's room; and it was confined to men. In another part of the house was a room for married couples as it was called; but of such apartments, I can tell you more concerning other houses. For the bed with the blue sky I paid 3*d*. If it rained there was no shelter. I have slept in a room in Brick-lane, Whitechapel, in which were fourteen beds. In the next bed to me, on the one side, was a man, his wife, and three children, and a man and his wife on the other. They were Irish people, and I believe the women were the men's wives—as the Irish women generally are. Of all the women that resort to these places, the Irish are far the best for chastity. All the beds were occupied, single men being mixed with the married couples. The question is never asked, when a man and woman go to a lodging-house, if they are man and wife. All must pay before they go to bed, or be turned into the street. These beds

were made—as all the low lodging-house beds are—of the worst cotton flocks, stuffed in coarse, strong canvas. There is a pair of sheets, a blanket, and a rug. I have known the bedding to be unchanged for three months; but that is not general. The beds are an average size. Dirt is the rule with them, and cleanliness the exception. They are all infested with vermin; I never met with an exception. No one is required to wash before going to bed in any of those places, (except at a very few, where a very dirty fellow would not be admitted,) unless he has been walking on a wet day without shoes or stockings, and then he must bathe his feet. The people who slept in the room I am describing were chiefly young men, almost all accompanied by young females. I have seen girls of fifteen sleep with 'their chaps'—in some places, with youths of from sixteen to twenty. There is no objection to any boy and girl occupying a bed, even though the keeper knows they were previously strangers to each other. The accommodation for purposes of decency is very bad in some places. A pail in the middle of a room, to which both sexes may resort, is a frequent arrangement. No delicacy or decency is ever observed. The women are, I think, worse than the men. If any one, possessing a sense of shame, says a word of rebuke, he is at once assailed, by the women in particular, with the coarsest words in the language. The Irish women are as bad as the others with respect to language, but I have known them keep themselves covered in bed when the other women were outraging modesty or decency. The Irish will sleep anywhere to save a halfpenny a night, if they have ever so much money. It is not uncommon for a boy or man to take a girl out of the streets to these apartments. Some are the same as common brothels, women being taken in at all hours of the night. In most, however, they must stay all night as a married couple. In dressing or undressing there is no regard to decency, while disgusting blackguardism is often carried on in the conversation of the inmates. I have known decent people, those that are driven to such places from destitution, perhaps at the first time, shocked and disgusted at what they saw. I have seen a decent married pair so shocked and disgusted, that they have insisted on leaving the place, and have left it. A great number of the lodging-houses are large old buildings, which were constructed for other purposes; these houses are not so ill-ventilated, but even there, where so many sleep in one room, the air is hot and foul. In smaller rooms, say twelve feet by nine, I have seen four beds placed for single men, with no ventilation whatsoever, so that no one could remain inside in warmish weather, without every door and window open; another room in the same house, a little larger, had four double beds, with as many men and women, and perhaps with children. The Board of Health last autumn compelled the keepers of these places to whitewash the walls and ceilings, and use limewash in other places; before that, the walls and ceilings looked as if they had been blackwashed, but still you could see the bugs creeping along those black walls, which were not black enough to hide that. In some houses in the summer you can hardly place your finger on a part of the wall free from bugs. I have scraped them off by handfulls."

It might be objected that these descriptions are exaggerated, but Mr. Garwood, Mr. Vanderkiste, the Inspectors of Police, and the *Reports of the City Mission*, all prove the facts, with other and more appalling evidences. Viscount Ingestre, of whom his order may well feel proud, visited these spots, and in his *Letters to a Friend** corroborated the statements, and in calculating the enormous profit derived by the owners of the lodging houses, drew the same conclusion as that adopted by Mr. Beames—namely, that avarice and governmental carelessness are the mainsprings of the entire evil. Lord Ingestre found, in the neighbourhood of Church Lane, St. Giles, a district which Mr. Mayhew and Mr. Beames proved to be the seed plots of crime, that those who herd in the kennels above described pay from two pence to four pence per night. The real owner receives about thirty pounds per annum for an eight-room house, the tenant of which receives ten pounds per annum for each room, by letting it to his miserable lodgers at three pence, per head, per night—and he secures himself by demanding payment before the lodger enters the room. These houses are not confined to London; they exist in England, Ireland, and Scotland, under the eye of the Police, plague spots in the commonwealth sending forth their myriad criminals, young and old, to bring destruction upon themselves, disgrace upon the nation, and accumulated claims upon the revenue. The places and the people are the same, whether situated in the Liberty of Dublin, the Slums of London, or the Wynds of Edinburgh and Glasgow; as Cardinal Wiseman has said, they are "nests of ignorance, vice, depravity, and crime, as well as of squalor, wretchedness, and disease; whose atmosphere is typhus, whose ventilation is cholera; haunts of filth which no sewerage committee can reach; dark corners which no lighting board can lighten." Churchmen and laymen, official and non-official witnesses, all religions, and all classes of society, agree in evidence as to the condition of these places, and in attributing to their contaminating influences the great mass of juvenile crime; and with the statement of one who writes upon social abuses with an eloquence, an energy, and an ability rarely surpassed, we shall pass to another portion of this momentous

* See "Meliora," First Series, Second Edition, pp. 157, 180. See also Mr. Worsley's "Essay on Juvenile Depravity," p. 105, and the Prison Reports of 1841—Southern and Eastern District, p. 148.

but melancholy subject,—our witness is the Honorable and Reverend Sidney Godolphin Osborne, who, in his paper, *Immortal Sewerage* thus writes in describing the condition of the Glasgow common lodging houses :—

"It needs not that I make the attempt to describe each separate room into which we penetrated; their common features were all of one cast, and that the blackest. Small square or oblong places, they were crammed with human life, and the insect life which finds a living on and about our kind when cleanliness and decency are absent. There were dogs, and a few cats; these were, to all appearance, the cleanliest creatures we saw. On the ground as the rule, on rotten bedsteads as the exception, lay human beings of all ages and sexes; some of the children perfectly naked, many, even of the women, nearly so. The bedding black rags, nondiluviated relics of blankets and old clothes. There was aged vice, with crimes life-written in the lineaments of countenances which had known little of rest, except that gained in the insensibility of the last stage of intoxication. There were many young, almost infant girls,—not brazened in their course, for they had never known shame,—but wearing the appearance of their childish debauchery as the clothing of their very nature. Virtue would indeed have appeared as an exotic on such a soil as that we then walked. There was the returned convict, but little clothed, on a filthy bed, a prisoner again to the women who had enticed him there, robbed him of the rest of his clothes, and thus kept him captive to his nakedness. There were young girls who had followed sin from their birth; they had returned from their nightly pursuance of it, and wore yet the tawdry finery above their rags and dirt, with which they had endeavoured to hide the fact, that they were the very dregs of the base. 'Drunk!' said one; 'of course I am. I like it. I am always drunk when I can get the drink.' She might have been some twenty-one years of age. The very small children, in their perfect nakedness, set off as the comparative whiteness of their skin was, by the uniform blackness of all around them, looked scarce of the same breed of creature: they were of the usual cast found in such places—pale, thin about the frame, protuberant in the abdomen from disease, with a startled and yet stupid look at the gentlemen who had so abruptly, by their intrusion, caused all the bustle, and hunting for clothes, and hiding of things, before the door was opened. We did not see much actual evidence of drunkenness, nor anything, with the above exception, to prove to us that these dens were anything but the mere refuge-places of the people we found in them. It would be ridiculous to question, in such places, the morality of the way of life, and ask whether the ragged-headed, dirty, half-dressed couple who lay on the floor on rags, with an infant three days old between them, were man and wife; or whether the four young girls and the other men, some lying, some crouched on the floor, in different degrees of nakedness, were brothers and sisters. From some inquiries I made, it appears to be quite understood, that any bond of alliance between

the sexes, legal or otherwise, was no bar to any course of life which could bring in money for drink or tobacco."*

From such seminaries of vice as these few results can be expected, save those which are learned from the records of our criminal courts, and from the despatches of our penal settlements. They possess a population of criminal juveniles:—the Earl of Shaftesbury, and Lieutenant-Colonel Jebb, calculate their numbers in London, at 30,000; Mr. Thomson believes, and in our opinion with proof, that they amount to 60,000 souls, and worse than all, *their numbers increase.* Of this latter fact there can be no doubt, for it is proved, with his usual accuracy and force, by Mr. Kay. In the year 1843 the number of persons under twenty years of age taken into custody in London amounted to thirteen thousand, six hundred; but in 1848 the numbers had risen to sixteen thousand, nine hundred and seventeen; showing an increase in five years of the proportion of criminals under twenty years of age, to the increase of the population of London of that age,—in the former case 1 in 47, in the latter 1 in 56.† But this is not the full measure of the increase of crime. By the *Report of the Criminal Law Committee* of 1847, it appears that in the five years preceding 1810, the average number of commitments in England and Wales was four thousand, seven hundred, and ninety-two; the convictions two thousand, eight hundred and forty, whilst the population of the age of ten years and upwards amounted to seven millions, three hundred and twenty-two thousand, six hundred: but in the five years preceding 1845, the average annual number of commitments was twenty-eight thousand, four hundred and seventy-seven, and the convictions twenty thousand, five hundred and ninety; the population ten years old and upwards has increased sixty-five per cent, whilst the proportionate number of commitments for crime has augmented four hundred and ninety-four per cent, and the convictions six hundred and twenty-five per cent. In fact, as Mr. Pearson, the City Solicitor, stated to the last-named Committee—within the past ten years, "the number of juvenile criminals annually convicted in England and Wales has increased in a greater ratio than even the mass of the criminals at large." To this statement we may add

*See "Meliora," Second Series, p. 9.
† See Mr. Kay's Pamphlet, p. 23.

that of Mr. Sergeant Adams, who, in his evidence before the Committee on Criminal and Destitute Juveniles, estimated the juvenile criminals convicted in the year 1851, to number eleven thousand, six hundred and seventeen.

Strange as these evidences may seem to the majority of our readers, they are but the every day phases of life amongst our ignorant and godless poor. Birmingham, Preston, Liverpool, Glasgow, Cork, and Dublin, have their population of criminals, varying in age from six to seventeen years, and many of these whose years reach fourteen cohabit with girls of their own age.* In Newcastle and Gateshead juvenile crime is increasing four times as fast as the population,—in thirteen years it has doubled its amount; and Mr. Kay states that in the year 1852, six hundred and sixty-three offenders, between eight and seventeen years, were taken into custody by the police of Newcastle. When we know these facts; when we learn that in Manchester alone there are forty-two thousand, nine hundred and forty-two children of the working classes neither at School nor at work; when we find that equally large numbers are in the same neglected condition in other localities; when we find that in the English Work-houses there were, in January, 1852, forty thousand, five hundred and fifty-seven children; when we recollect, too, the contagion of vice to which all these classes of ignorant unemployed youths are exposed, we must all concur in the opinion advanced by Mr Kay who writes,—"There is nothing in town life which is either physically or morally injurious to which these children are not daily exposed from their tenderest years; there is no influence which is pure and elevating that ever reaches many; while from all this misery and sin, most of these young creatures have no means of escape, until the police take pity on them."

"Until the police take pity on them"—and these words can be written with truth of England—all the prison reports, all the parliamentary reports, all the books before us, prove the fact that, to our juvenile criminal, the prison is the only refuge, the prison chaplain his only friend. From parents he can learn only vice. They live either in concubinage or in adultery; they are ignorant of all religious truth, and in most cases are drunken and dishonest. Juvenile crime, Mr Worsley considers to arise, in the overwhelming majority of cases, from

* See Report of Committee on Criminal and Destitute Juveniles, p. 13.

parental neglect or wickedness; and the entire substance of the *Report on Criminal Juveniles*, is contained in these words of Miss Carpenter, when ascribing the real sources of the young offender's crime,—"an undisciplined childhood, in which no moral or religious influence has been shed, and which has been untrained to any useful industrious habits."*

To permit the increase of this horde of child-criminals would be dangerous were the numbers few; but our juvenile criminals are a terrible people, increasing year by year; and increasing too through the neglect of the Government, and frequently through the very systems of punishment upon the results of which most sanguine, but most groundless, hopes had been based.

It must be admitted that our towns are the hot beds of crime, but all towns are, and ever must be, more or less, liable to the charge—We, however, take no care to mitigate the evils of aggregation, we adopt no precautions against the vile influences of evil example, and of vicious temptation. Sunday is habitually desecrated; dog fights, and other recreations of the like degrading class, are the common practices of the Lord's Day, and from morning until night, on working days, the beer house and the gin palace are open to all. Those officials who, in the discharge of duty, visit these places, state that there are public houses solely devoted to the supplying of liquors to youths whose ages do not exceed seventeen years. Here are seen boys and girls dancing, smoking and card playing; some are drunk, some are concerting robberies, that the money realized may be spent in drunkenness and prostitution. Those who have observed the results of intoxication inform us, that most of the crimes committed by adults can be traced to this national vice; and to the degradation of the parent who has become addicted to drunkenness, but too many of our juvenile criminals attribute their condition. Mr. Kingsmill states that, in his opinion, and his experience gives weight to the statement, of 28,752 prisoners tried at the assizes and sessions of England in 1851, 10,000 may be estimated, without fear of exaggeration, as having been brought to their deplorable state, directly or indirectly, by the public-house; whilst of the 90,963 summary

* See Miss Carpenter's work—it proves her to be a Christian woman, in no respect inferior in intellect to Mrs. Fry, or in usefulness to Sarah Martin.

convictions in the same year, 50,000, he fears not to assert, were the result of the drinking habits of the individuals themselves, or of their parents, producing poverty, idleness, and vagrancy. He has published, in his most able work, the opinions of forty-seven Chaplains of Gaols, given before Lord Harrowby's Committee on The Beer Bill, by which it is evident that the Beer Shop is the grand source of robbery and moral depravity. We here, in support of our views as to the evil of these places, insert such of those opinions as prove their effect in causing, or in multiplying, juvenile crime. The Reverend Mr. Field, the most admirable Chaplain of Reading Prison, had "ascertained by investigation that about four-fifths of the offences committed by the agricultural population are traceable to beer-houses." The Reverend J. H. Hawes, Chaplain of Abingdon Gaol, attributed "most injurious effects to beer-houses; several prisoners *under twenty years of age* then in custody, acknowledged that 'the beer-shop had done it all.'" The Reverend R. S. Cooper, Chaplain of Gloucester Gaol, "Had been informed by prisoners and others, that much of the seduction and corruption *in early life* among females, is to be traced to their being entrapped into these houses." The Reverend John Davies, Chaplain of Newgate, stated, "Certain beer-shops and public-houses are the *constant resort* of *youths* who subsist upon whatever articles they can steal and convert into money." The Reverend John Penny, Chaplain of Milbank Prison, knew it to be "a matter of frequent occurrence that *young men*, in writing home, speak of the beer-shop having proved their ruin." The Rev. Edward Faulkner, Chaplain of Worcester Gaol, had found beer-houses "the resort of all sorts of thieves, *young* and old, and places where the *young find a ready instruction in crime.*" That veteran combatant against crime, whose philanthropy and patient research into all the sources of vicious life, are only equalled by his ability and never-flagging zeal—the Reverend John Clay, Chaplain of the Preston House of Correction, believed it "impossible for human language to describe the misery and wickedness added to the previous sum of our moral and social ill by beer-houses."*

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* See Rev. Mr. Kingsmill's "Prisons and Prisoners," pp. 70, 76. Mr. Kingsmill stated, to Lord Harrowby's Committee, that he could, from experience, "express a very confident opinion, that beer-houses must

If one were to pursue this inquiry to its furthest limit the result would be the same. It would be found that drunkenness is the remote or immediate cause of nearly all the offences of our criminals. Those who have investigated the subject, anxiously and carefully for years, arrive at last at the conclusion, that taken as a nation, we are the most drunken people on earth.*

These are great and important truths; they stand forth in facts and figures in the Prison Reports: we have God's curse against drunkenness thundered from the pulpit, in all the terrible majesty of scripture command. We read the loathsome records of human suffering, and of human debasement produced by the evil, in the Hospital Reports, and in Prize Essays: statisticians prove that more than sixty millions sterling are annually spent in these kingdoms on intoxicating liquors and tobacco—that is, that a sum about equal to the whole National Revenue is squandered on the grand source of vice.† True, the political economist may tell us that this expenditure on liquor produces an increased return to the National Exchequer—but, alas! it causes a double expenditure in the administration of justice, in the estimates for the support of our prisons, and in the expenses of our hospitals.

The law cannot render a people moral, and sober, but it can, and it is the bounden duty of the law to, check the incentives to crime—to make the opening of a public house a difficulty rather than a great facility. This the law does not accomplish; it seems to aid the beer-house keeper in the conduct of his dreadful trade. Few will deny that the butcher, the baker, and the grocer are the tradesmen most needed by the population; yet whilst there are now in London 3,500 grocers, 2,800 bakers, 1,200 buttermen and cheesemongers, 1,500 green grocers and fruiterers, 1,300

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be looked upon generally as so many nurseries of crime in the land." See also the papers entitled "The Beer-Shop Evil," By the Hon. and Rev. S. G. Osborne, in "Meliora;" 1st series, p. 1; and "The Maine Law, with Suggestions for its Application to Great Britain," By Mr. Biggs, in "Meliora," 2nd series, p. 216. We believe the plan proposed by Mr. Osborne to be most excellent, but of the practicability and success of Mr. Biggs' "Suggestion," we entertain many doubts.

* See Vanderkiste's Notes and Narratives of a Six Years' Mission, pp. 172 to 231.

† See the late Mr. G. Porter's "Self-Imposed Taxation;" a little treatise well worthy the reputation of the author of "The Progress of the Nation."

dairy keepers, 500 fishmongers, 1,900 butchers,—showing a total of 12,500 in these useful trades, there are in the Metropolis 14,200 public houses. These are not the statistics to which a lover of England's glory, and progress, and stability would refer: but it has been proved that in a population of 1,212,000 souls, in a portion of the manufacturing districts, there are 14,300 public houses; from which it may be stated, that allowing five persons to each family, every seventeen families support a public house.* This is in a great measure to be attributed to our system of legislation upon all questions affecting the revenue arising from distillation.

In the year 1825, the duty on whiskey was very considerably reduced in Scotland and in Ireland, and from that period to the present, the consumption has increased five fold; and the result of the increase has been the spread of Lunacy, Disease, Crime, Pauperism, and Premature Death. No stronger proof of the demoralizing effect of this reduction in the price of intoxicating liquors can be adduced, than that afforded by Lieutenant Colonel Jebb, who, in his *Report on the Discipline and Management of the Convict Prisons, and Disposal of Convicts*, 1852, proves, from the statistics of the Military Prisons, "that whilst the committals for drunkenness among the troops quartered in England, amounted to about 7 in 1,000 men, in Scotland and in Ireland they have amounted to about 20 in 1,000."† Thus it is that the fiend, Drunkenness, has been fostered, and these are its results. But the evil rests not in the cheapness of the potion: lest the poor or the dissolute might lack sufficient inducements to enter the public-house—the tap-room becomes a saloon, and the meretricious allurements of a dancing harlot, and the foul prurience of the obscene songster, are added, to form fresh ingredients in making more seductive the too seducing beverages of the Gin-Palace. The Garrick's Head has its Judge and Jury Society, where nightly a clever buffoon acts as "Judge," and aids in raking up from the "witnesses" all that is base and impure: the Coal Hole has its orgies,—where indecency is sure to produce rapturous applause, and

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*For further proofs, see Rev. Mr. Worsley's "Prize Essay" pp. 126 to 139.

† See Report, p. 125.

blasphemy forms the most attractive refrain to a popular song.*

These facts are all well known, the character of these houses has been placed, again and again, before the Legislature, but with little apparent effect. The evil of a class of dens, lower than these, is terrible in its open manifestation when considered with relation to our juvenile poor. They become pilferers to obtain money for the price of admission; they become drunkards through the early habits engendered in these schools of vice. Mr. Kay and Mr. Martin furnish indisputable evidences that very many of our juvenile criminals confess that their first offences against honesty arose from the temptation to steal money for the public-house saloon, the "penny gaff," or the "penny hop," and having made the first step in sin by pilfering a penny, vicious propensities or bad company soon confirmed the evil disposed or encouraged the misguided. As Mr. Kingsmill very truly states, after the initiation into vice has been accomplished, "Money becomes indispensable, and it is gotten by some desperate and wicked means, at the possibility of which, a few months before, the mind would have recoiled with indignation, like that of Hazael, when reproved by the prophet: 'Is thy servant a dog, that he should do this great thing?'"†

It has been asserted that many of the London brewers are interested in the success of these public-houses, and that owing to the quantity of beer consumed by the frequenters, so vast an addition is made to the National Revenue that the Government cannot suppress so important a branch of trade. No man, it is urged, need drink against his inclination, and if he will drink, the country has the benefit of his intoxication in the increase of the revenue returns, from a tax to which a man renders himself liable, and which he pays without remonstrance. This is simply absurd. As Mr. Thomson observes, referring

* One of the favorite songs at the Coal Hole is entitled "Sam Hall." The whole "humour" consists in a dirty-faced singer ending each verse with the words, "Blast my eyes," uttered in a tone of stupid drunkenness. See Thackery's scathing onslaughts upon this tavern in "Pendenis" and in "The Newcomes," where it is called "The Cave of Harmony."

† See, in support of these views, Mr. Martin's most interesting little work—"A Place of Repentance," and Mr. Kay's Pamphlet—"The Condition and Education of Poor Children in English and German Towns." Appendix No. V. See also IRISH QUARTERLY REVIEW, VOL. III. No. X. pp. 327 to 331.

to this very point:—"The willingness to pay a tax is not a sure proof of its being advantageous to the public. Were the Chancellor of the Exchequer to open a new branch of the licensing system, and sell licences to steal, or to receive stolen goods with impunity, there can be no doubt the applicants would be numerous, the produce of the duty considerable, and the payments most prompt and willing. But would the public profit? And yet the proposal is not really much more absurd in itself, nor more injurious to the public, than that of raising a public revenue by fostering, and to a certain extent legalizing, habits of intoxication among the people."

We have referred to those places of amusement in which the more wealthy classes of tradesmen, artizans, and "gentlemen" can pay the price of liquors, and in which theatrical representations, and musical entertainments, form gratuitous seductions to vice. But base and shameful as those places are, they furnish only a faint exemplification of the same class of houses in a humbler walk of life,—those houses where sin is inculcated, and where the minds of our youths are indoctrinated in crime. Mr. Kingsmill,* and Mr. Joseph, the Chaplain of Chester Castle, in his valuable, because practical, work,† have proved the tendency of those places of vicious amusement. Mr. Martin, too, has placed this question of their evil teaching in the fullest and most important light, and if further evidence be necessary, it is offered in Mr. Mayhew's excellent, yet painful, book, *London Labour and the London Poor*. We have already referred to those places of amusement, as connected with public-houses; but we now write of them as cheap theatres, or "penny gaffs," where boys and girls are the chief supporters, and in which the representations are only calculated to prove pleasing to children, depraved and dissolute as adults in mind, but wanting the physical attributes to indulge in the vices of men and women. But when one reads the narratives of the scenes witnessed in the "penny gaff," he feels that there is a degradation of sinfulness in the mind, as terrible in its consequences as the grossest sins of the body. We do not object to theatrical representations; we believe that they are a healthful amusement when properly conducted, and

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* See "Prisons and Prisoners." p. 78.

† See "Memoirs of Convicted Prisoners." London: Wertheim and Co. 1853.

this is the only point in which we differ with Mr. Kingsmill. The honest heart that laughs with such comedians as Mrs. Keeley and her husband; the eyes that grow dim with the sorrows of such actresses as Mrs. Kean and Miss Faucit; the breasts that glow in unison with all the poetry of such plays as *Macbeth*, *Hamlet*, *Money*, and a hundred other popular pieces, cannot be injured by the street company whom they may meet on their homeward route, or whom they may encounter in the purlieus of the theatre. The system of decrying theatrical amusements is but that adopted by Hannah More, in her *Cælebs in Search of a Wife*, and which Sydney Smith, incited by his strong good sense, described as an attempt to teach young people that they are "not only to stay away from the comedies of Congreve and Farquhar, for which they may easily enough be forgiven; but they are never to see Mrs. Siddons in the *Gamester*, or in *Jane Shore*. The finest exhibitions of talent, and the most beautiful moral lessons, are interdicted at the theatre. There is something in the word *Playhouse* which seems so closely connected, in the minds of these people, with sin and Satan, that it stands in their vocabulary for every species of abomination."*

We defend the Theatre, when properly conducted, and the incentives to sin without its walls are simply those that each man and woman who walks through the streets of a great city, or a large town, must encounter, and, with God's grace, surmount. These legitimate theatrical amusements are not the class of entertainments to which we refer, as forming one of the schools of vice in which our young criminals are perfected in sin. Mr. Mayhew thus describes one of these "Penny Gaffs," in the neighbourhood of Smithfield:—

"Here the stage, instead of being the means for illustrating a moral precept, is turned into a platform to teach the cruelest debauchery. The audience is usually composed of children so young, that these dens become the school-rooms where the guiding morals of a life are picked up; and so precocious are the little things, that the girl of nine will, from constant attendance at such places, have learnt to understand the filthiest sayings, and laugh at them as loudly as

* See Rev. Sydney Smith's Works, p. 144, Ed. 1851. See also "A Defence of The Stage, or an Inquiry Into the Real Qualities of Theatrical Entertainments, Their Scope and Tendency," By John William Calcraft. Dublin: Milliken, 1839: and see Mr. Kingsmill's "Prisons and Prisoners," p. 81.

the grown-up lads around her. What notions can the young female form of marriage and chastity, when the penny theatre rings with applause at the performance of a scene whose sole point turns upon the pantomimic imitation of the unrestrained indulgence of the most corrupt appetites of our nature? How can the lad learn to check his hot passions and think honesty, and virtue admirable, when the shouts around him impart a glory to a descriptive song so painfully corrupt, that it can only have been made tolerable by the most habitual excess? The men who preside over these infamous places know too well the failings of their audiences. They know that these poor children require no nicely-turned joke to make the evening pass merrily, and that the filth they utter needs no double meaning to veil its obscenity. The show that will provide the most unrestrained debauchery will have the most crowded benches; and to gain this point, things are acted and spoken that it is criminal even to allude to. Not wishing to believe in the description which some of the more intelligent of the costermongers had given of these places, it was thought better to visit one of them, so that all exaggeration might be avoided. One of the least offensive of the exhibitions was fixed upon. The visitors, with a few exceptions, were all boys and girls, whose ages seemed to vary from eight to twenty years. Some of the girls—though their figures showed them to be mere children—were dressed in showy cotton-velvet polkas, and wore dowdy feathers in their crushed bonnets. They stood laughing and joking with the lads, in an unconcerned, impudent manner, that was almost appalling. Some of them, when tired of waiting, chose their partners, and commenced dancing grotesquely, to the admiration of the lookers-on, who expressed their approbation in obscene terms, that, far from disgusting the poor little women, were received as compliments, and acknowledged with smiles and coarse repartees. The boys clustered together, smoking their pipes, and laughing at each other's anecdotes, or else jingling halfpence in time with the tune, while they whistled an accompaniment to it. Presently one of the performers, with a gilt crown on his well greased locks, descended from the staircase, his fleshings covered by a dingy dressing-gown, and mixed with the mob, shaking hands with old acquaintances. The 'comic singer,' too, made his appearance among the throng—the huge bow to his cravat, which nearly covered his waistcoat, and the red end to his nose, exciting neither merriment nor surprise. To discover the kind of entertainment, a lad near me and my companion was asked 'if there was any flash dancing?' With a knowing wink the boy answered, 'Lots! show their legs and all, prime!' and immediately the boy followed up his information by a request for a 'yennep' to get a 'tib of occabot.' After waiting in the lobby some considerable time, the performance inside was concluded, and the audience came pouring out through the canvass door. As they had to pass singly, I noticed them particularly. Above three-fourths of them were women and girls, the rest consisting chiefly of mere boys—for out of about two hundred persons I counted only eighteen men. Forward they came, bringing an overpowering stench with them, laughing and yelling as they pushed their way through the waiting-room. One

woman, carrying a sickly child with a bulging forehead, was reeling drunk, the saliva running down her mouth as she stared about her with a heavy fixed eye. Two boys were pushing her from side to side, while the poor infant slept, breathing heavily, as if stupified, through the din. Lads jumping on girls' shoulders, and girls laughing hysterically from being tickled by the youths behind them, every one shouting and jumping, presented a mad scene of frightful enjoyment. Singing and dancing formed the whole of the hour's performance, and, of the two, the singing was preferred. A young girl, of about fourteen years of age, danced with more energy than grace, and seemed to be well known to the spectators, who cheered her on by her Christian name. When the dance was concluded, the proprietor of the establishment threw down a penny from the gallery, in the hopes that others might be moved to similar acts of generosity; but no one followed up the offering, so the young lady hunted after the money and departed. The 'comic singer,' in a battered hat and the huge bow to his cravat, was received with deafening shouts. Several songs were named by the costers, but the 'funny gentleman' merely requested them 'to hold their jaws,' and putting on a 'knowing' look, sang a song, the whole point of which consisted in the mere utterance of some filthy word at the end of each stanza. Nothing, however, could have been more successful. The lads stamped their feet with delight; the girls screamed with enjoyment. Once or twice a young shrill laugh would anticipate the fun—as if the words were well known—or the boys would forestall the point by shouting it out before the proper time. When the song was ended the house was in a delirium of applause. The canvass front to the gallery was beaten with sticks, drum-like, and sent down showers of white powder on the heads in the pit. Another song followed, and the actor knowing on what his success depended, lost no opportunity of increasing his laurels. The most obscene thoughts, the most disgusting scenes were coolly described, making a poor child near me wipe away the tears that rolled down her eyes with the enjoyment of the poison. There were three or four of these songs sung in the course of the evening, each one being encored, and then changed. One written about 'Pine-apple rock,' was the grand treat of the night, and offered greater scope to the rhyming powers of the author than any of the others. In this, not a single chance had been missed; ingenuity had been exerted to its utmost lest an obscene thought should be passed by, and it was absolutely awful to behold the relish with which the young ones jumped to the hideous meaning of the verses. There was one scene yet to come that was perfect in its wickedness. A ballet began between a man dressed up as a woman, and a country clown. The most disgusting attitudes were struck, the most immoral acts represented, without one dissenting voice. If there had been any feat of agility, any grimacing, or, in fact, anything with which the laughter of the uneducated classes is usually associated, the applause might have been accounted for; but here were two ruffians degrading themselves each time they stirred a limb, and forcing into the brains of the childish audience before them thoughts that must embitter a lifetime, and descend from father to child like some bodily

infirmity. When I had left I spoke to a better class costermonger on this saddening subject. 'Well, sir, it is frightful,' he said, 'but the boys *will* have their amusements. If their amusements is bad they don't care; they only wants to laugh, and this here kind of work does it. Give 'em better singing and better dancing, and they'd go, if the price was as cheap as this is. I've seen when a decent concert was given at a penny, as many as four thousand costers present, behaving themselves as quietly and decently as possible. Their wives and children was with 'em, and no audience was better conducted. It's all stuff talking about them preferring this sort of thing. Give 'em good things at the same price, and I *know* they will like the good, better than the bad.'"*

These are extracts sufficiently appalling to disturb the most self-gratulant optimist in the Kingdoms. The Common Lodging-House, the Beer-Shop, the Public-House, the Singing-Saloon, the "Penny-Hop," and the "Penny Gaff," are the only schools to which our juvenile criminals have access, and the scholars of these places make the Gin-palace more crammed than the Church, the hospital more frequented by those whose disease is the result of dissipation, than by those who suffer through natural decay, and who compel the nation to raise prisons in so great numbers, that the turrets of our gaols nearly equal in number the spires of our Temples.†

That England is the most liberal country in the world in endeavoring to reform her criminals, cannot be denied; that her philanthropists are the most active, and enlightened, and self-sacrificing, is admitted by all; and Howard has found dauntless followers in Mrs. Fry, in Sarah Martin, in Mr. Nash, and in Miss Carpenter. But vast and profound as have been our noble and costly attempts at prison reformation, they have been in most cases directed to promote the conversion of the old offender, whilst the juvenile criminal has been neglected, and, through a false system of discipline, we have generally failed in accomplishing our object,—succeeding only in sending forth to liberty criminals more hardened in depravity, and in restoring to the world clever rogues who to their pristine vices added, as a climax,

* See Henry Mayhew's "London Labour and The London Poor," Vol. I. pp. 40 to 42. It should be recollected that Mr. Mayhew calls this "Penny Gaff," "*one of the least offensive.*" For an account of a provincial "Penny Gaff," see Mr. Kay's pamphlet, "The Condition and Education of Poor Children In English and German Towns," Appendix No. V. and see IRISH QUARTERLY REVIEW, Vol. III. No. X. pp. 329, 331

† See "Memoirs of Convicted Prisoners,"—Preface.

the most patient hypocrisy. But if these plans of reformation had succeeded, yet this truth, stated by Mr. Thomson, would be undeniable—that it is not sufficient for society to reform the criminal who has grown old in sin; it has another, and a greater, and happily it is also an easier work, to accomplish, and that is "to *prevent* the growth of a population of juvenile offenders—ready and willing—year after year, to fill up the places of those who may have been reformed or removed from the country."

These statements and proofs are so grave and appalling, so fraught with a looming danger to the future stability and integrity of our great Nation, that one would most willingly doubt the accuracy of the assertions, were it not undeniable that every deduction here adduced is more than corroborated by the authority of Parliamentary returns, or has all the weight and convincing power of facts and figures in its sustainment. Yet in all the evidences before us there is one particular, clear, undoubted, patent, conveying, at once, a painful and yet an encouraging moral, which is, that not one in ten of these juvenile offenders, whose ages on the calendars are a disgrace to our Legislature, and a dishonor to our people, would have appeared there had as great care been devoted to preserve the children from crime, by teaching them virtue, as was, when they had become criminal, squandered upon attempts to reform them through the agency of deterring punishments. We talk of Gospel truth, and of the life of our Great Exemplar—and though He told us, in words that have rung through all creation, finding disciples and apostles in such men as John Howard and Vincent de Paul, such women as Elizabeth of Hungary and Elizabeth Fry—IN AS MUCH AS YE DID IT NOT UNTO ONE OF THE LEAST OF THESE MY BRETHREN, YE DID IT NOT TO ME—yet we who freed the slave; we who periled our Indian Empire to check the Idolatry of the Hindoo, and the self-immolation of the Indian widow; we who are so careful that the felon shall not be convicted unless, by all human proof, he be proclaimed guilty—we who have accomplished, or who strive to achieve all these great and noble things, act towards our juvenile criminal population with a legalized injustice, national, barbarous and cruel. Well may Mr. Field, Mr. Kingsmill, Mr. Clay, Miss Carpenter, Mr. Thomson, and Mr. Kay, proclaim that we ever punish, but we never teach—too truly may each and every of these admirable wit-

nesses declare, in the words of those who formed the committee to examine into the state of juvenile crime in Newcastle and Gateshead—

"THAT A CHILD, EVEN WHEN CRIMINAL, SHOULD BE TREATED AS A CHILD, AND SENT TO A REFORMATORY SCHOOL, AND NOT TO A GAOL."

Our child-criminals have never been *educated*, they have, in many instances, been *taught*, but to them school has been a place of hard blows, or unwilling tasks, where their chief acquirements were inferior to those of a carefully trained parrot. Many of our readers will, we presume, consider that there is no paucity of educational institutions in these kingdoms. There are Dame Schools, National Schools, Poor Schools, Sunday Schools, and Evening Schools. Every sect, into which, in religion, society is divided, possesses its own teachers, and affords school accommodation to its youth; but, notwithstanding all these aids to education, juvenile crime continues, and prevails amongst the very class who attend the Sunday and daily schools. Since the year 1781, when Sunday schools were founded by Robert Raikes and the Reverend Mr. Stock, good and pious men have labored to render them useful, and worthy of public confidence,—but they have too often failed. The children are taught the elements of religion; they learn the name of the Redeemer, but the seed falls on a barren soil, and the poor instruction imparted is quickly effaced, because it was the Sunday task, forgotten during the week, and, perhaps, never accurately understood. Mr. Joseph, the Chaplain of Chester Castle, finds that eighteen out of every twenty prisoners, from the age of twelve to twenty-four years, have attended Sunday Schools. Yet when these prisoners were asked by him—"Can you say the Lord's Prayer?" the answer, in eight cases out of twenty, was, "I cannot." When asked, "can you read?" the reply, in sixteen cases out of twenty, was, "No." This is a most important fact, and is further supported by Mr. Martin, who finds that of ninety cases under twenty years of age received into the Ragged Dormitory, in Great Smith-street, seventy-three had attended school in youth, and only *seven* had received no education. Mr. Kingsmill, the excellent Chaplain of Pentonville Prison, states, in his work, *Prisons and Prisoners*, that of one thousand convicts on the registry of that prison, eight hundred and fifty-eight had attended some sort of school, as children, for

periods averaging about four years. Three hundred and forty-seven of these convicts had received education in schools kept by private persons; two hundred and twenty-one had attended the National Schools; twenty had attended grammar schools; ninety-two had frequented Sabbath-Schools; and one hundred and sixty had been pupils of other institutions. But a strange conclusion may be drawn from this statement, which is, that these schools were schools only in name: of the eight hundred and fifty-eight convicts who had attended schools, more than one-half could not read with understanding, or write their own letters; whilst seven hundred and fifty-eight had no knowledge of any rule in arithmetic beyond addition. Amongst the one thousand prisoners selected by Mr. Kingsmill, he found the vast majority ignorant of religion; and he writes—"Children of nine or ten years of age, in a well ordered Christian family, know as much as the very best informed in this respect, with very few exceptions. These exceptions were found when some degree of piety had marked the father or mother." Mr. Field, in his invaluable work, *Prison Discipline*, proves by some most carefully prepared tables, that such teaching as our poor receive is no check to crime, no guide to virtue. He shows that of three hundred and sixty-eight prisoners, between the ages of ten and twenty years, and who were confined in Reading Gaol, in the year 1845, one hundred and thirty-four were ignorant of the Saviour's name, and could not repeat the Lord's prayer; two hundred and ten could repeat the Lord's Prayer, but, were unacquainted with the simple truths of religion; twenty-three had learned the Creed, the Commandments, and the Catechism generally, remembering the most important parts; whilst only one, a female, was familiar with the Holy Scriptures, and had been well instructed in religious truths. In the *Reports of the Directors of Convict Prisons*, for the year 1852, we find that all these facts are rendered, by corroboration, more disheartening, because more certain. From the Report of Mr. Smith, the Chaplain of Parkhurst Prison, it appears that of one hundred and sixty boys received into Parkhurst in the year 1852, seventy-two had both parents alive at the time of their sentence: thirteen had lost both parents: forty-one had lost their father, and thirty-four their mother. Parkhurst, it must be recollected, is a prison to which juvenile criminals, sentenced to *transportation*, are committed, and it is a matter of serious concern to discover that seventy-two of these hundred

and sixty boys had both parents living, and that only eighteen of the entire number of convicts had fallen into thieving through starvation; whilst one hundred and twenty-nine attributed their offences to bad company, and low theatres. The Chaplain adds—"By one or another of those means juvenile criminals are manufactured by hundreds every year, representing a loss to the country of several thousands in money, and a far heavier loss in the good order, the morality, and the stability, of the community at large." One hundred and fifty of these one hundred and sixty boys, came from towns, and one hundred and twenty had attended the National, or other, schools, for periods varying from three months to ten years, and one hundred and ten had attended Sunday Schools—some for years, others for a few months—yet the parents had *paid* for the schooling of one hundred and twenty of the entire one hundred and sixty. We call these places schools; we give the noble titles, School-Master and School-Mistress, to men and women who are unworthy the name, and we perpetuate the blunder by a stolid, stupid, perseverance in our old abuses. We transmit to the gaol a statement that the young culprit has attended school; but what is the result? Of one hundred and six boys at Parkhurst who had attended school, only one could read well, ten could read tolerably, and the rest so imperfectly as to be useless. None could spell well, only two tolerably, thirty-two imperfectly, and the others not at all. None could write well, not even tolerably, forty-seven wrote imperfectly, and the productions of fifty-nine were worse than scrawling, and only two could work the compound rules of arithmetic. But low as this amount of information possessed by the boys may appear, it was in their case, as in all others reported in the books before us, far superior to their scriptural knowledge. Of the one hundred and six, two only had that information on sacred subjects which the returns place under the head of "*some*;" thirty possessed a little knowledge on these points, and seventy-two were entirely ignorant. As we read these statements we may well feel the truth of Mr. Smith's observation;—"These particulars display a lamentable deficiency somewhere;" and when he states that of the hundred and six boys, *who had attended school*, seventy-two gave answers "to questions on scripture history too ignorant and ridiculous to be described; and those given to questions on Christian doctrine were shocking to the feelings

even of those who perpetually have to witness and record many instances of the same kind"—we may truly and sorrowingly acknowledge the terrible moral of his words —"English heathenism exists, and few are aware of the extent of it."

These boys had been all at *school*; yet they knew nothing; that is, they knew nothing calculated to keep them virtuous and industrious, and, as Mr. Smith states, these facts "display a lamentable deficiency *somewhere*." The somewhere can be readily discovered, the Legislature is alone to blame. Mr. Kay, and all men of even lesser ability, who have devoted themselves to the question, agree in attributing the failure of the educational efforts of England to the apathy of the public, the inefficiency of the teachers, the want of accommodation in the Schools, and the apparent carelessness or incompetency of those who should be the guardians of the education of the poorer classes. In the *Reports of the Commissioners of Inquiry into the State of Education in Wales, Appointed by the Committee of Council on Education, in* 1847, it appears, as we learn from the enquiries of Mr. Lingen, that the average age of teachers is upwards of 40 years, and that they generally commence their vocation when upwards of 30; the number trained he found to be 12·5 per cent. of the whole ascertained number; the average period of training he discovered to be 7·30 months; the average income but £22 : 10 : 9 per annum; over this, 16·1 per cent. have a house rent free. These may appear low payments and but meagre training for the important office of schoolmaster; and when we remember that many of these schools were attended by Calvinistic-Methodists, the importance of at least a commonly educated instructor becomes a doubly important object. We have, in a former paper shown* from our own enquiries and researches, and from the most useful and elaborate work of Mr. Kay,† that the Principality is the most vicious, irreligious, and immoral portion of the Kingdoms; and this can scarcely excite surprise when we consider that those who attend the schools are instructed by teachers who have followed every occupation save that of a schoolmaster. Mr. Lingen states, that of the teachers examined by him, before assuming the occupation in which he found them, six had been assistants in schools;

* See IRISH QUARTERLY REVIEW, Vol. III. No. X. p. 323, 326.

† See "The Social Condition and Education of the people in England and Europe," Vol. I.

three had been attorney's clerks; one had been an attorney's clerk and sheriff's officer; one had been apprentice to an ironmonger; one had been assistant to a draper; one had been an agent; one had been an artilleryman; one had been an articled clerk; two had been accountants; one had been an auctioneer's clerk; one had been an actuary in a savings' bank; three had been book-binders; one had been a butler; one had been a barber; one had been a blacksmith; four had been bonnet-makers; two had been booksellers; one had been a book-keeper; fifteen had been commercial clerks; three had been colliers; one had been a cordwainer; seven had been carpenters; one had been a compositor; one had been a copyist; three had been cabinet-makers; three had been cooks; one had been a corndealer; three had been druggists; forty-two had been milliners; twenty had been domestic servants; ten had been drapers; four had been excisemen; sixty-one had been farmers; twenty-five had been farm servants; one had been a farm bailiff; one had been a fisherman; two had been governesses; one had been a glover; seven had been grocers; one had been a gardener; one hundred and seventy-seven had been at home or at school; one had been a herald-chaser; four had been housekeepers; two had been hatters; one had been a helper in a stable; eight had been huxters or shopkeepers; one had been an iron-roller; six had been joiners; one had been a knitter; thirteen had been laborers; four had been laundresses; one had been a lime burner; one had been a lay vicar; five had been lady's maids; one had been a Lieutenant in the Royal Navy; two had been land surveyors; twenty-two had been mariners; one had been a millwright; one hundred and eight were married women; seven were ministers; one had been a mechanic; one had been a miner; two had been mineral agents; five had been masons; one had been a mate; one had been a mallster; one had been a militia man; one had been a musician; one had been a musical wire drawer; two had been nursery maids; one had been a night schoolmaster; one was a publican's wife (separated from her husband); two were preparing for the church; one had been a policeman; one had been a pedlar; one had been a publican; one had been a potter; one had been a purser's steward; one had been a planter; two had been private tutors; one had been a quarryman; one had been a reed thatcher; twenty-eight had been sempstresses; one had been second master in the Royal Navy; four had been soldiers; fourteen had been shoemakers; two

had been machine weighers; one had been a stone cutter; one had been a serjeant of marines; one had been a sawyer; one had been a surgeon; one had been a ship's cook; seven had been tailors; one had been a tailor and marine; one had been a tiler; seventeen were widows; four had been weavers; and sixty had had no previous calling, or it had not been ascertained. These occupations, assuming that they had been formerly held by persons who were at all calculated to become eligible teachers, should unquestionably have been abandoned when he or she who had previously lived by them assumed the duty of the teacher; but of the 766 teachers above enumerated, only 17 had previously followed occupations in any degree calculated to render them competent to discharge their duties as instructors.

But this was not the end of the evil; Mr. Lingen's report reveals that in connection with the vocation of teacher, two follow that of assistant overseers of roads; six are assistant overseers of the poor; one is an accountant; one an assistant parish clerk; one a bookbinder; one a broom and clog-maker; four are bonnet makers; one sells Berlin wool; two are cowkeepers; three are collectors of taxes; one is a drover in summer; twelve are dressmakers; one is a druggist; one is a farmer; four are grocers; three are huxters; one is an inspector of weights and measures; one is a knitter; two are land surveyors; one of them also a stone-cutter; two are lodging-house keepers; one is librarian to a mechanics' institute; sixteen are ministers; one is master of a work-house; one is matron of a lying-in hospital; three are matmakers; thirteen are preachers; eighteen are parish or vestry clerks, uniting, in some instances the office of sexton; one is a printer and engraver; one is porter, barber, and layer out of the dead in a workhouse; four are publicans; one is register of marriages; eleven are sempstresses; one is a shopman on Saturdays; eight are secretaries to benefit societies; one is a sexton; two are shoemakers; one is a tailor; one is a teacher of modern languages; one is a turnpike man; one is a tobacconist; one is a writing master in a grammar school; and nine are in receipt of parochial relief.

The children who attend the schools taught by such persons as these would, as a matter of course, if convicted of any offence of which the law takes cognizance, be entered upon the prison books as having "attended school." It may be presumed that there is no want of school accommodation of this class in Wales, nor does there appear to be any reluctance

upon the part of rich or poor to subscribe for educational purposes, as it appears by Mr. Johnston's report that £7,000 were subscribed by the latter, and £5,675 by the former towards the funds of 517 daily schools for the poor, giving school accommodation to 32,033 children. There were also 1,161 Sunday schools.

We have already shown, from the prison reports, the amount of knowledge possessed by the juvenile criminals; we now proceed to prove, from the reports of the School Inspectors, the information on literary and scriptural subjects possessed by those who are guiltless in the estimate of the law. Mr. Symons, a man of acknowledged ability and experience, examined the school at Llanfihangel Creiddyn, in Cardiganshire, and found fourteen children attending, with two young men who were there to learn writing. Few of the children remained a year, and only four of the number were able to read the Testament. Their knowledge of spelling was limited, and they mispronounced most of the words when reading. Of Scripture they knew, Mr. Symons states, "next to nothing." Jesus was said to be the son of Joseph. One only knew that He was the Son of God, and one thought He was on earth now. Three out of five could not tell why Christ came to the earth, four could not tell on what day Christ was born, and what it was called. The days of the week were guessed to be five, six, four, and seven: the days in the month, twenty and fifteen; none knew the number of days in the year. Ireland, one thought a town, and another a parish; England was a town, and London a country.

This was what may be considered a country school, but in Holyhead Church School, Mr. Vaughan Johnson found ninety-six boys, and forty-seven girls attending, and ten monitors employed. The subjects taught, were reading, writing, and arithmetic, The Holy Scriptures, and Church Catechism: the fees one penny per week. Of one hundred and seventeen pupils examined by Mr. Johnson, twenty could write well on paper, forty were able to read with ease, and twenty-two could repeat the Church Catechism, fifteen only with accuracy. Three scholars in the first class said there were eighteen Gospels; that Bartholomew write one, and Simon another, and that Moses was the Son of David—these answers were not corrected by the others. In a lower class it was said that Jerusalem is in heaven, and that St. Paul wrote the Gospel

according to St. Matthew, and another believed it was written by Jesus Christ. The oldest boy in a large class said that Joseph was the son of Abraham; whilst a child about ten years old thought that Jesus Christ was the Saviour of Men, but upon being asked, "From what did he save mankind?" replied, "from God." The girls in this School, although somewhat better instructed than the boys, were yet very deficient. For example, the second class asserted that St. Matthew was one of the prophets; that Jesus Christ is in the grave to this day, that the Redeemer and the Virgin Mary were the same person. We dwell upon this ignorance of sacred subjects because this was a Church School, in which one might reasonably expect some more accurate information on Scripture questions.

The parrotting system of instruction pursued in most of the Schools is well exemplified by the result of an experiment tried in that of Holyhead by Mr. Johnson. He had heard that the boys were very accurate arithmeticians, and he requested the Master to set them a sum. Thirteen boys were required to multiply a sum of £ *s.* *d.* ($25 \times \frac{1}{4}$); they performed the task expertly, and to the complete satisfaction of the Inspector; but to prove their ability still further, Mr. Johnson set them another sum; and instead of ($25 \times \frac{1}{4}$) gave 5 as the number by which the several sums were to be multiplied, allowing each boy a period twice as long as that which they themselves required on the former occasion; but two only of the thirteen worked the sum correctly.

Mr. Lingen examined several children whom he found in some of the cottages in Pembrokeshire; nearly all were equally ignorant as those to whose cases we have already referred, and all proved the lamentable inefficiency of the Sunday and Daily Schools. One intelligent little girl, twelve years of age, stated that she read about Jesus in the Testament, but she could tell *nothing* about him, except that he was called the Son of Man. She said, "they only teach us to read; they don't tell us any of these things at the Sunday School."

Neither the Day School nor the Sunday School is rendered attractive to the pupil. Confusion, crowding, and squalor, are generally the characteristics of the school-houses throughout England and Wales. Mr. Lingen states, and Mr. Kay asserts that the statements may be received as showing "fair specimens" of English and Welch school accommodation, that in one

visited by him, and held in the mistress's house, he found the benches and a couple of tables, hidden under, and overlaid with children: the room was low and dark; in it thirty girls and twenty boys were huddled, and the hot sickening odour "resembled the smell of the engine on board a steamer, such as is felt by a sea-sick voyager when passing near the funnel." Another school was held in a miserable hovel; the floor was bare earth, full of deep holes, and the windows were all broken. One of the desks was formed of an old door, with the hasp still upon it, laid cross-ways upon two benches, the scholars kneeling on the ground whilst they wrote: the Vicar's son informed Mr. Lingen that he had seen eighty children in this hut. Another School-room which, at six square feet per child, was calculated to hold 28 scholars, yet crammed within this space there were 59 children, and upon the books there were 74 names. It is unnecessary to cite further evidence of the condition of these schools. Mr. Kay found them held in cellars, garrets, chapels, and kitchens, badly warmed, wretchedly ventilated, dirty, unfurnished, dark, damp, and unhealthy. "It is," observes Mr. Lingen, "a disgusting fact, that out of 692 schools, I found 364 or 52·6 per cent. utterly unprovided with privies." Too truly may Mr. Kay write of these schools, "are they not likely to make the children hate and shun every thing which would remind them of the school and the miserable school day?"

The accuracy of Mr. Kay's deduction could hardly be disputed; and the evidence before us but too clearly proves the effect of the squalor and neglect. By the census returns of 1851, it appears that the total number of children between the ages of 3 and 15 years, neither at school nor at work, in the Manchester and Salford district, was 39,866, and the total number receiving instruction or at work, was 58,624; but private inquiry raises the former number to 42,942, and reduces the latter to 56,251. From inquiries in families amongst the working classes in Manchester and Salford, made in the months of May and June, 1852, it appeared that of the children between 3 and 15 years of age, in 17,426 families visited 17,177 children were neither at school nor at work. Of these children 236 had never attended school, through sickness; 139 had never attended from domestic and other causes; 398 had never attended through parental indifference; 2,670 were considered too young; 6,268 had never attended through the

inability of parents to pay the school fees—making a total of 9,711, who from these various causes had never been at school: 7,466 of the 17,177 who were neither at work nor at school, in the months to which we have above referred, had attended school at some period; but of 31,374 children between 3 and 15 years of age not at work, 12,067, or nearly 39 per cent., were kept from school on account of the alleged inability of the parents to afford to pay the required fees. It may or it may not be true that the dissoluteness, or the improvidence of the parents had produced this inability, but it is an undoubted fact, that 12,067 children out of 31,374, were found amongst the laboring and poorer classes deprived of education, as the consequence of the poverty or misconduct of their parents. These figures are rendered the more important when considered with relation to the increase or decrease of School attendance compared with the increase of the population. And here it is that the most remarkable feature in the education returns is observable. By the Report of the Manchester Statistical Society, we learn that the total population of Manchester and Salford, in the year 1834—5, was 250,373, and the actual School attendance 24,535; but by the census returns of 1851 we find the total population of Manchester and Salford to be 387,816, and the average school attendance to be 29,145; that is, in 1834—5 the school attendance was in proportion one in 10·20; in 1851 it was one in 13·30, or as Mr. Kay puts it, "It appeared in respect to day school attendance at the present time it was worse than it was 17 years ago, inasmuch as from 1834—5 to 1851, day school attendance, considered in relation to the population, has decreased from 1 in 10 $\frac{2}{10}$ to 1 in 13 $\frac{3}{10}$."*

Thus far we trace the want, the total want of education amongst our poor, and have shown how defective the knowledge is of those who are stated to have attended school. Education in England means, in the case of the poor, really nothing: mere reading and writing, even if acquirements in these points be accurate, and religious training be wanting, are too frequently a curse rather than a blessing. Knowledge

* See further on these subjects Mr. Kay's Pamphlet, "The Condition and Education of Poor Children in English and German Towns;" and his, "The Social Condition and Education of the People in England and Europe."

for the poor, who are uninstructed in religion, opens wider sources of sin and of the temptation to it, than can arise from the grossest ignorance; if there be no Gospel rule to bow down the head of pride, and to check that corruption of human nature to which the onward march of civilization exposes the mere man in its progression, the steam press is not the palladium of freedom, it is simply the most powerful instrument of hell. Walk through our streets where the poor reside, and mark the class of literature exposed in the windows of those shops to which they may be supposed to resort in purchasing cheap publications. There can be seen the lives of highway-men and robbers, to teach the young thief that honesty is a folly, and roguery a virtue. One is called *Jonathan Wild, The Thief Taker;* another is named *The Life of Barrington, the Gentleman Pick-pocket;* another has a seductive alliteration in its title, and is named *Varney, the Vampire, or the Feast of Blood;* another is named *The Murder at The Old Smithy;* then we have *Geraldine, or the Secret Assassins of the Old Stone Cross,* in good company with *Ada, the Betrayed,* and *Ella, the Outcast.* These are merely cheap books of what may be called the penny thrilling, and deeply affecting romantic school; but there is another and a graver class of literature presented by Mr. Holyoake's, *Reasoner,* which teaches infidelity and atheism to the ignorant and the presumptuous. So far we have shown that those of our poor that can read, have, within their reach, the means, at the very lowest charge, of perfecting themselves in all the romance of robbery and murder, and strengthening themselves in the wretched folly of infidelity, being thus enabled readily to qualify themselves for the drop or the convict settlement; but there is yet another class of cheap literature still more destructive, because, although it may be injurious to the juvenile criminal, it extends its baleful influence to a better educated class, surely and insidiously debauching their minds. Many of our readers may have been attracted to the shop windows of dealers in cheap periodicals, by the title of such works as *The Mysteries of the Court of London, The Days of Hogarth, The Merry Wives of London, Nell Gwyn,* and *The Mysteries of London,* and may possibly have been disgusted by the indecency of the illustrations. But had they looked through the pages of these and other shameful productions of the same class, they would have observed with

sorrow, that minds of very considerable ability had been degraded to produce prurient tales, and when imagination failed, those records of trials for seduction, violation, and criminal conversation, which the public journals omit as being "unfit for publication," are placed before the young reader's mind, and scenes of voluptuousness and vice are vividly painted, conducing to no other end but to fill the pocket of the publisher, to make the boy reader enervated in soul and body, to render the girl a strumpet in mind before she is a harlot in deed.

Those who publish these books live in affluence and splendor, and it is well known that the sale of one amounts to over a quarter of a million weekly in penny numbers. In some a department is devoted to love correspondence between the juvenile readers, and in others servants are solicited to state their grievances, and to supply information of the families with whom they live. Every fact and every falsehood, disgraceful to the aristocracy or to royalty, that has been circulated within the last fifty years is revived in some of the most popular, and forms the chief attraction to the great majority of the readers. That the effect of this literature upon our juvenile criminal population is most injurious, is made evident by all the reports of the Prison Chaplains. Mr. Kingsmill indeed, attributes so very great an influence to it, that he considers its suppression one of the first steps to be taken before the reclamation of our criminal juveniles can be satisfactorly commenced, and adds, "greatly increased exertions are required on the part of the community, the government and the legislature, to meet the most pernicious efforts continually being put forth by authors and publishers, who prostitute talent, education, and character to the detestable purpose of mere money gain, neutralising the benefits of education to the lower classes, and poisoning the sources of their temporal no less than their eternal happiness. Such persons, if they cannot be reached by the arm of the law, should be scouted from all society as wholesale traffickers in the production of the crimes which it costs the state so much to punish, and the miseries which follow in the train of crime to so many thousands, which no remedy can ever remove."*

That neither we, nor Mr. Kingsmill, exaggerate the wide-

* See Chaplain Report, p. 24, in the "Reports of the Directors of Convict Prisons," 1853.

spread evil of this class of cheap literature is evidenced by the facts, stated by Mr. Charles Knight, that the sale of four of *these publications* amounted to three hundred and fifty thou*sand per* week, that their readers extended to about one million per week, and that one of the most prosperous had several gentlemen of ability amongst its contributors. At the beginning of April, 1850, there were issued from the London Press, to be continued in weekly numbers, one hundred separate publications. Of these, sixty were wholly works of fiction and ribaldry. Of the proposed works of fiction a great number were of the *Jack Sheppard* school, such as *The Free Booters, Dick Turpin, The Bold Smuggler, Paul Jones, Gentleman Jack, The Brigand;* but, as Mr. Knight writes, the trash was varied by every variety of tales of murder.

It is right, however, to state, that, in 1845, it was calculated, that from London alone there was a yearly circulation of stamped and unstamped newspapers and serials, of a decidedly pernicious character, to the extent of twenty-eight millions, eight hundred and sixty-two thousand numbers. During the five years from 1845 to 1850, moral and religious publications increased in sale but slowly, and in the latter year the immoral unstamped publications of London were calculated at more than four hundred thousand weekly, and to these may be added imported French Novels and Prints of the most indecent character, which, although formerly sold carefully or by stealth, are now vended openly in shops entitled "Parisian Depositories for the Sale of French Prints." In addition to this we may state, upon the authority of Mr. Knight, that "at the beginning of 1847, above one hundred new penny periodicals were started, and again, in January, 1852, at least an equal number, the greater part of these being calculated to do harm rather than good."

How can this Press be defeated? By education and by another Press, and by rearing a people who, when told that vicious works by men of prostituted genius are amusing, can feel with the Abbé Mullois:—"C'est très amusant! Malheureuse légèreté"! he rejoins, "sera-t-elle toujours notre fléau? Quand donc comprendons-nous qu'il y a autre chose à faire que de s'amuser? Quand donc aurons-nous le courage de résister à un caprice pour le bien de l'humanité? C'était amusant! . . . Mais cette misère, mais ces haillons qui se promènent dans les rues, est-ce encore amusant? Mais cette démoralisation et ces haines qui rongent les âmes, mais la menace qui pèse sans cesse sur la tête de la

France, est-ce encore amusant? Mais le sang qui a coulé dans nos rues! . . ."*

We have now shown the chief causes which conduce to render our juvenile poor our juvenile criminals, and, though men of learning, experience, and piety have for years devoted time, and thought, and energy, to elucidating the subject, education in England is most disgraceful to a nation like ours, and our poor are very much worse educated than any other European Nation, excepting Russia, Turkey, South Italy, Portugal, and Spain. In France, in 1843, the scholars were one in every 10·5 inhabitants; in Prussia the scholars were, in 1838, one in every six inhabitants; in Austria Proper the scholars were, in 1843, one in every nine inhabitants; in Belgium, in 1836, the scholars were 10·7 of the inhabitants; in England the scholars, in 1850, were one in every fourteen inhabitants; whilst in Switzerland, America, and a great part of Germany, the number of children attending school, in March, 1851, was one in every five inhabitants.†

In writing thus of education let us not be understood as assuming that any, or even the best, system can do all to save the boy from crime or the evils of vicious association. All the bearings of the subject, and all that can be expected from education are thus eloquently expressed by M. Kingsmill:—

"Education, as it is generally communicated, is worth nothing for any purpose, good or evil. The scanty and imperfect knowledge acquired in school is soon lost in the hard daily labour or service to which the poorer classes are so early consigned. Education, intellectually what it ought to be, is, to persons of good natural sense, or who are surrounded by circumstances favourable to virtue, of great value in a temporal point of view; and, if they are really Christian, it increases greatly their usefulness. It advances the possessor in the social scale, and supplies sources of enjoyment superior to the indulgence of the more sordid or sensual appetites. To those who are without good common sense, or real religious principle, it is a dubious benefit. It removes some of the grosser temptations; it suggests others, which often lead to worse results. New desires are

* See also Chaplain's Report of Pentonville Prison, in the "Reports of the Directors of Convict Prisons," 1853. See also "Meliora," second series, p. 168, 181: see likewise, "Memoirs of Convicted Prisoners," and Mr. Kingsmill's "Chapters on Prisons, and Prisoners."

† See Mr. Kay's Pamphlet "The Condition and Education of Poor Children in English and in German Towns." Appendix No. 3. See also his "Social Condition and Education of the People." Vol. 2, p. 538, 539.

created; wants are multiplied beyond means; steady, plodding labour is despised; the dress is altered, and the outward appearance perhaps improved;—the inner man is unchanged. Education, without motive and sound Christian principles, is as the moving power to machinery which has no regulator, or as wide-spread sails to a ship which has neither chart nor compass to steer by. Mere education changes the character of crime. It gives increased power to the dishonest for planning schemes of robbery, and then of concealment and escape from justice. Education, based on a Divine foundation, and carried out in its fair proportions by Christian instructors, is of inestimable value, in every point of view. If asked to state the comparative value which experience has led me to place upon the different sorts of education, in their bearings upon religious or merely social obligations, I should begin with education which has received its first impulse from a pious mother's lips, and is carried on under the eye of a godly father, who inculcates, by his own example and by cheerful discourse in the family, lessons of wisdom and truth, until the impression is made upon the mind of his children, that independent, hard-working honesty, is infinitely better than riches without right, or advancement in life without fitness, and who honours God by a stated religious service in his family daily, and by the solemn, but *happy*, observance of the Sabbath. Next would be the instruction given in the really Christian Sunday-school; and so on, downwards, from that which is religious in the highest sense, and only secondarily educational, to that which is highly intellectual, but without religion."

These are the sentiments which seem ever to have actuated foreign governments in legislating upon educational questions, but which, one might assume, had never been contemplated by our own Legislature. In Mr. Kay's elaborate work, *The Social Condition and Education of the People in England and Europe*, we learn that there is in Prussia, one Primary School for every 653 inhabitants, one Teacher for every 515 inhabitants, and one Normal College for every 377,300 inhabitants. France, amidst all her fopperies of fraternity in government, has never forgotton the real paternity of a State over its People, and she has one Primary School for every 558 inhabitants, one Teacher for every 446, and one Normal College for every 356,564 inhabitants. So it is with Germany, with Holland, with Denmark, with Switzerland; and assuming that we need fewer Colleges, fewer Teachers, and fewer Schools than any of the countries mentioned, Mr. Kay supposes that England requires—

One Primary School for every	700	inhabitants,
One Teacher for every	600	„
One Normal College for every	400,000	„

The result would be, that for England and Wales we should have at least—

24,285 Schools,
28,333 Teachers, and
42 Normal Colleges.

The chief and most imperative demand at present in England and Wales is for efficient teachers. We have in Ireland an excellent Training School, but we want for both countries the comprehensive system of Germany and Switzerland. There the Teachers are men, who from their fifteenth to their twenty-first year have been educated in preparatory Schools and Colleges, expressly for the Teachers. Their education would do credit to higher walks of life, but the discipline of their early preparation renders them happy and content in the discharge of their duty. Mr. Kay writes:—

"Those children, whose parents wish them to be trained for Teachers, do not leave the Primary Schools, before the completion of their fifteenth year. They then generally continue to attend the Head Masters to receive instruction in the evenings for one or two years. At the end of this period they enter, either one of the superior Schools, where the children of the middle classes continue their education, and where the weekly fees are so small, that children of poor parents often attend them; or they enter, what is called a Preparatory School, that is, one which is expressly designed to prepare Candidates for the Normal or Teachers' Colleges. They remain in these Preparatory Schools until the completion of their eighteenth year, and are educated there in the Scripture history, and the history of their own country, in the elements of mathematics, in several sciences, in music, singing, and in geography. When they leave these Schools, they have already received a very good education. Up to this time, their parents have paid the small weekly fees for them, stimulated by the hope of their sons gaining admission into some of the Teachers' Training Colleges. In each of the divisions of Germany and Switzerland corresponding to our counties, there are two or three of these Colleges, one or more for Roman Catholic students and the other for Protestants. The Directors of all these Great Training Schools are religious ministers, and the education given in them is of a strictly religious character. They are supported in Switzerland by the Cantonal Governments, and in Germany by the several States, and are liberally supplied with large staffs of from eight to fifteen Professors and Teachers, with good libraries, numerous class rooms, organs, piano-fortes, all necessary school apparatus, model practising schools, and farms or gardens attached to them. At certain periods of the year, public examinations are held in each of them, at which all young men who desire to be Teachers and who seek admission, may present themselves as Candidates. No Candidate however can be received, even for examina-

tion, unless he can present a certificate from a physician of good health, and certificates from his religious minister and his former teacher of good character; nor can any one be admitted or ever officiate as a Teacher, who is a cripple, or deaf or deformed, nor any one who has weak lungs, so important is it thought that the Schoolmasters should be in every way fitted for their duties. The Candidates who satisfy all the conditions I have mentioned are carefully and rigorously examined by a Committee of Examiners composed of the Directors and one or more Professors of the College, one of the local Educational Magistrates, and an Inspector. The subjects of this examination comprise all the subjects of instruction in the primary schools. Those, who prove themselves the most efficient, are selected for admission, and once admitted their course in life is secured, because they pay nothing for their education, little and in many cases nothing for their board; and when they leave the College, if they pass their final examination satisfactorily, they receive an appointment immediately. Even if their first place is an inferior one, they are sure to obtain the more valuable situations as vacancies occur, if their conduct, progress, and abilities prove satisfactory. The period of residence in these Colleges is three years, and the students during that time are educated most carefully in—1. Religious instruction, including the Holy Scriptures, and the History of Christianity. II. The German language, including exercises in composition, writing, grammar, and reading. III. Mathematics. IV. History. V. Physical Geography. VI. Botany and Gardening. VII. Natural History. VIII. Drawing. IX. Music, including lectures on the theory and practice of music, constant practice in singing, chanting, and playing the organ, piano-forte, and violin. X. Pedagogy, or the art of teaching children. This is taught in village schools attached to the Colleges, in which the young men practise teaching under the personal direction of the Professors. XI. Mental Arithmetic and Mensuration. XII. Medicine. This may seem a strange part of their education, but every student in a Prussian Teachers' College is taught how to treat cases of suspended animation, wounds occasioned by the bites of dogs, injuries by fire, &c. Also how to distinguish poisonous plants, and how to employ some of the more ordinary antidotes. Public examinations are held, every year, in each of these great Institutions, and at these times all the students, who have completed their three years' course of education and practice, and all other candidates who choose to present themselves, are examined by the Director and Professors. Every one who passes this examination, receives a diploma, stating his fitness to be a Teacher. Those who do not, are obliged to continue their education at their own expense, until they are able to prove, that they have attained adequate knowledge and sufficient expertness in the Art of Teaching to deserve one. Without such a certificate of merit no one in either Germany or Switzerland is ever allowed to practise as a Teacher."

Compare these men with the quarry-men, tailors, and recipients of public charity who teach our poor children, and

who can feel surprise that schools and schoolmasters are in disrepute in England? In Germany and in Switzerland the school-houses are well built, clean and airy, containing from four to twelve class rooms, and to each school there is attached a large dry play ground. A Government which thus supplies its people with Educational appliances, is entitled to command the attendance of its young subjects. Thus, in Germany and in Switzerland, every child is *compelled* to attend some school, from the age of five to fourteen years; and although in the manufacturing towns children may, at the desire of parents, discontinue attendance at the morning and afternoon classes, after the completion of their *ninth* year, yet this is only upon condition that they attend the evening classes four days in every week, and the Sunday classes, until they shall have completed their fifteenth year; whilst in Prussia they cannot, even then, discontinue attendance, unless they pass satisfactorily an examination in the subjects of instruction in the Primary Schools; and this wise system of education is happy in its effects. The teachers are respected by the parents, and loved by the pupils. Let us observe the result, and, with Mr. Kay—

"Take the history of one boy's life in any town in Switzerland, Germany, Denmark, or Holland, and this will be more comprehensible. He begins life in a home, where the parents have been themselves educated; he remains there, until the completion of his fifth year; he then enters one of the primary schools; there he is obliged, every morning and afternoon, to keep himself perfectly clean and neat, until the hours of study are over; he is in daily and hourly communication for nine years with a well instructed man; he is examined from time to time by his religious minister and by the inspectors of the state; he is obliged to take regular daily exercise in the open air. When in school, he lives during all those years, in a well ventilated room. He is daily taught the truths of religion and the elements of several sciences; he is accustomed to habits of work, perseverance, regular hours, cleanliness, politeness, and order, till they become natural. He has before him, for all these years, the example of an educated man in his teacher, and he acquires, insensibly, a respect for knowledge, which he never shakes off in after life. He finds out too, how much there is to learn, and this induces in his mind a sense of humility. Such a boy surely goes out into the world a more moral, useful and conservative member of society, than the neglected creatures, so many of whom are in our streets trained as criminals.

The municipal systems of both the German and the Swiss towns are very liberal in character. The Town Councils are elected by the citizens. These magistrates select six persons from among themselves, three citizens having the reputation of being conversant in

matters connected with the schools, a certain number of representatives of the private schools existing in the town, and a member of each of the committees of the Town Council not otherwise represented, to form *a School Committee* for the town. The first ecclesiastical authority of the town is also ex-officio a member of this committee, and if the town contains both Romanists and Protestants, each of the different parties must be respectively represented in the committee by a proportionate number of members of its religious persuasion. This committee, when thus constituted, is empowered and obliged by law:—To provide School room, where there is not sufficient for the children; To elect a sufficient number of Teachers for all the Municipal Schools:—To provide for the regular and sufficient payment of all the Teachers of the Municipal Schools:—To supply all necessary School apparatus, such as maps, slates, black boards, desks, forms, &c., for all the Schools in the town:—To keep all the Class Rooms and Teachers' houses in good repair, well whitewashed and painted, and well warmed:—To provide each School-house with a roomy and dry play ground:—To take care, that all the Teachers both in the Municipal and Private Schools, exercise the children every morning and afternoon:—To personally inspect each School a certain number of times every year:—To see that every parent in the town provides for the daily education of his children, either at home, or in some one of the Private or Public Schools, from the age of five to the completion of the fourteenth year:—And to pay the weekly School fees and provide decent and comfortable clothing for the children of all parents too poor to do this themselves.

"The Teachers of all the Schools, founded by the muncipalities, are elected by these School Committees, and are therefore generally of the same religious persuasion as the majority of the committee. Where several Schools have to be founded by the same Committee, one is set apart for each religious party, and its Teachers belong to the same persuasion. There is generally in each town at least one Public School belonging to each of the Romanist and Protestant parties. Where only one School is founded, the Head Master is generally of the same religious persuasion as the majority of the Committee, but one or more of the Assistant Teachers are sometimes appointed from the other religious denomination. But neither in Protestant Saxony, nor in Romanist Bavaria, does this occasion any real practical difficulty; partly, because the religious lessons are given immediately after opening the Schools in the mornings, and immediately before closing them in the afternoons; and any parent is at liberty to remove his children during these lessons, if he provides for their religious education elsewhere; and partly, because the parents, who differ from the majority of the committee in religion, may if they please send their children to any private School of their own persuasion, or to the public School belonging to their own party, and can obtain all the same assistance from the School Committee by doing so. The Protestant clergy of Saxony, Prussia, and Switzerland; the monks of the cantons of Friburg, Lucerne, Soleure, St. Gall, Uri, and Zug; and the priests of Bavaria and Switzerland assured me repeatedly, that in actual practice, all the difficulties

which, in theory, would seem to make it impossible for the religious parties to unite for the education of the poor, really vanish, when brought to the test of experience. The proof of this is, that throughout Germany, Switzerland, and Holland, *all* the children are saved from street life, and are at this present time receiving a careful, religious, moral and intellectual training from highly-educated and efficient Teachers. And let it be remembered, that this great result has been obtained spite of obstacles, at least as great as those which have seemed to make it so difficult for us to act. Are they religious differences which hinder us? Look at Bavaria, the Prussian Rhine provinces, and the Swiss cantons of Friburg, Zug, Lucerne, and Soleure. Will any one say, that the religious difficulties existing in those countries are less than those which exist in our own? Is Romanism there free from those pretensions, which are the results of a belief in the Church's infallibility, and which stimulate opposition instead of conciliating opinion? Is the sectarianism of the Jesuits of Lucerne, Friburg, or Bavaria, of a more yielding character towards the Protestant 'heretics' than that of one Protestant party in England to another? Have not the quarrels of the Protestant sects in the canton of Vaud and in the south of Switzerland, within the last five years, been even less charitable and Christian, than any thing we have had to lament among ourselves? Have not the disputes between the Lutherans and the followers of Ronge in the north of Germany been accompanied with the bitterest feelings and the earnest fears of all attached to the faith, which Luther dared to preach? And yet, spite of all this, in each of these countries, so far as the education of the poor is concerned, all the difficulties arising from religious differences have been overcome, and *all* the poor children have been saved from the streets and brought under the influence of a religious education without any religious party having been offended."*

But it may be objected that we have, in our free country, no right to compel the attendance of children. We contend that every state has a full and perfect right to save its future citizens from degradation, and by early training to make the youth virtuous in a school, rather than to rear him up a criminal in the streets, and a convict in the prison—ignorant of all truth divine or human.—In the Canton of Vaud, where all are educated, of 30,525 children between the ages of

* See Mr. Kay's Pamphlet, "The Condition and Education of Poor Children in English and German Towns," and his "The Social Condition and Education of the People in England and Europe." We cannot sufficiently express our estimate of these valuable works.—The former published by Messrs. Longman, and sold by Messrs. Galt, Manchester, should be in the hands of all who feel the slightest interest in the improvement of our town poor. See also a very excellent Paper, by the Rev. Mr. Beames, entitled "Education as it Is, and as It Ought to Be," in "Meliora," second series, p. 70.

six and sixteen attending school, Mr. Kay found that 7,370 understood what was read to them from the Bible, and 9,234 knew the Catechism well—in *free* England of 463 prisoners examined by the Reverend Mr. Durham, the Chaplain of Hertford gaol, in the year 1847, 22½ per cent. were ignorant of the name of Christ; and of 127, examined by him in 1848, one fourth were equally ignorant—and this within twenty miles of London.*

To permit the continuance of these frightful abuses is not to respect Liberty but to destroy her. When our gaols and convict prisoners are the only schools of our neglected juvenile poor, it is time to learn the truth of an observation recorded by John Foster in his essay, *On Popular Ignorance*:—"It is here confidently presumed, that any man who looks, in the right state of his senses, at the manner in which the children are still brought up in many parts of the land, will hear with contempt any hypocritical protest against so much interference with the discretion, the liberty, of parents; the discretion, the liberty, forsooth, of bringing up these children a nuisance on the face of the earth."

Parents do bring up their children "a nuisance on the face of the earth," and the Legislature, by its neglect, is a party, too frequently, in the offence against society. It sends children to gaol who should have been sent to a Reformatory School; it commits and recommits, and loads the country with expense, exposing the child to a damning prison contamination, so terrible that Mr. Field, and Mr. Hill the Recorder of Birmingham, consider it better to send a juvenile criminal guilty of a first offence, back to the place where the offence was committed, and where he may be surrounded by all the temptations which lead to his offence, than transmit him to the ordinary class of gaols; because in these he must be, as Mr. Rotch, a Justice of Middlesex, in a very able pamphlet stated, subjected to the almost "electrical contamination of gaol association. There the foul impress of felony or misdemeanour is stamped upon them all before they are offered to the public as useful members of society;" our young criminals are, Mr. Rotch adds, "allowed to become well hardened in villainy before they are transported." This is a grave charge, but, of many, we here insert two

* See Rev. Mr. Durham's Sermon, "The Expostulation of the Neglected," preached for the Ragged Schools.

proofs from the evidence of Mr. Sergeant Adams, given before the Committee on Criminal and Destitute Juveniles:—

"Thomas Miller, aged 8 years, was tried at Clerkenwell, at the August Sessions, 1845, for stealing boxes, and sentenced to be imprisoned for one calendar month, and once whipped. At the January Sessions, 1846, he was again tried at the Clerkenwell Sessions, for robbing a till, and enquiries being then made, it appeared that, in addition to the above-mentioned trial, he had also been twice summarily convicted, and once tried at the Central Criminal Court, during the year 1846. He was in consequence sentenced to 7 years' transportation, but his sentence was commuted to 3 months' imprisonment. On March 14, 1846, he was again convicted of larceny, before the Common Sergeant; and in the printed sessions cases it is stated that the prisoner had been in custody 8 or 10 times. He was again sentenced to transportation, but his sentence was on this occasion commuted to imprisonment for 2 years. He was discharged on May 13, 1848. In July, 1848, he was summarily convicted, and sentenced to 14 days' imprisonment. From that period he has been lost sight of in the Middlesex prisons, until the 4th day of this month (June, 1852), when he was sentenced, under the Larceny Act, to be whipped and imprisoned 2 days. *He is now only 12 years of age,* and not more than 4 feet 2 inches in height."

"Edward Joghill, aged 10 years, has not yet been tried by a jury, but he has, *within the last 2 years, been 8 times summarily convicted,* viz.:—

1847.		
Feb. 13.	For possession of 7 scarfs, &c.	2 months' impris.
May 10.	Rogue and vagabond	1 "
July 10.	Possession of a half-sovereign	1 "
Sept. 13.	Simple larceny	1 days' impris., and whipped.
Sept. 27.	Rogue and vagabond	2 months' impris.
Dec. 31.	Simple larceny	1 month's impris., and whipped.
1848.		
May. 23.	Ditto	1 "
1849.		
April 15.	Ditto	3 "

This return relates to the committals of this boy *to one prison only.*"

If, in Mr. Sergeant Adams' Court, the grave thought of Channing, that each community "should supply moral wants, snatch every child from perdition, and waken in him the spirit and power of a man," had been set up as a guiding rule, if before him had been placed that noble sentence of the Newcastle and Gateshead Committee,—"A Child, even when a Criminal, should be treated as a Child, and sent to a Reformatory School and NOT to a Prison," the Court would have been

a Court of Justice,—but the law made the Judge a tyrant, and the child-prisoner, "a City Arab," "a Home Heathen."

Let us now learn from that most excellent of books on Prison Discipline, the Reverend Mr. Field's work, the evils of gaol association. Five and thirty years ago Buxton published his most remarkable volume upon the then little understood question of Prison Discipline, and in commenting upon the noble efforts of Mrs. Fry, and the Ladies' Committee, described the effect of prison association, conducted upon the old system, as one calculated only to ruin the soul and body of the young offender. He wrote, "Let us imagine him spending his days with the vicious, and his nights with the diseased; receiving from the first that instruction which may fit him for the perpetration of crime, and imbibing from the second the seeds of that debility which will unfit him for every thing else. He came to your prison a misdemeanant; you send him from its walls a criminal—wasted in strength, polluted in principles, and ruined in character. All respectable men reject him, because they know that to have been in your prison is to be corrupted." Although, during the thirty-five years which have elapsed since these words were written, the great English Nation has advanced in wealth, in power, and in intelligence; although the Press and the Thinker have frequently exposed the errors of our Prison Discipline, and thus endeavored to render our Prisons worthy of our intelligence and of our civilization, yet all the evils to which the young criminal was exposed at the period in which Buxton wrote, are still glaring and destructive as ever. Mr. Field, writing in 1848, finds, from his own experience, and that of other Gaol Chaplains, every source of crime indicated by Buxton to be still amongst "the prevailing motives which contribute to make a thief, and then to make him incorrigible." Mr. Kingsmill, writing in 1852, is of opinion, forming his estimate from his own, and the experience of his brother Chaplains, that the root of all the failure of Prison Discipline lies in prison association. Six or eight men or boys sleep in the same room, and here "it is that burglaries and robberies are planned, and systems of begging and fraud are discussed. There they learn each other's vices, and plot outrages during their nocturnal association." Mr. Kingsmill, in support of his views, and to show the effect of vicious association upon the prisoners, quotes the following passage from the Report of the Chaplain of Durham Gaol:—

"An instance of the corruption of morals which takes place among these prisoners, may be mentioned:—Three men, one old and two young, were committed for trial for a highway robbery of a few pence. The old man made no secret of his guilt; and stated, that he had never seen the two younger prisoners before he met them on the road, on the night of the robbery, and that they had nothing to do with it. The young men further protested their innocence; and after waiting several months in the trial-room for the assizes, no evidence was offered against the younger prisoners, and the old man pleaded guilty. *These men who, up to this time, had borne a good character, had so well learnt their lessons from their companions in the trial-ward and sleeping rooms, that both have since, at different times, been convicted of felony, and each confessed, that he had not worked from the time of his discharge until he returned to gaol; and that the bad example and advice of his fellow-prisoners had led him to adopt a course of crime for his support.* From the age of twelve to twenty, young persons easily receive impressions for good or evil; and in this prison, I observe a *curiosity* in the boys to know all about the crimes of their fellow-prisoners; and soon they learn to look upon the man who has been oftenest in gaol as the greatest hero. *Thus the young are taught the vices of their elders, and many who enter the prison naughty boys, it is to be feared, leave it accomplished thieves.* In the female part of the prison, all that can be done is now done, to prevent contamination and to maintain order; yet it is to be lamented that, from the form of the building, ten women at one time, during this year, were all day without control in the trial-room for many weeks. Among these, were two of the worst women of Sunderland, and two servants for stealing from their mistresses in respectable places. It may here be added, as a note, that, since the above sentence was written, one of these servants has returned to prison. When discharged, she was met by her parents at the gaol gates, and taken home, where she remained only one week, and then ran away to Sunderland, to the infamous lodging-house of a *prison companion*, from whence she returned to gaol. *For one example of the utter ruin of morals, thus directly traced to the prison contamination, hundreds take place unknown.*"

All will admit that these are appalling evils. No improvement can be expected, in disposition or conduct, until the system from which such woful effects spring shall be abandoned for one more perfect,—none more injurious can possibly be adopted. What plan, it may be asked, can with the best hopes of success be substituted—our unhesitating but well considered reply is, the Separate System, as it is conducted in Reading Prison. The motives that have induced Mr. Field to become the able, indefatigable apostle of this system are contained in the following passage from a Sermon preached by him in the Church of St. Mary the Virgin, Oxford, at the Lent assizes, 1853; and after describing the failure of the

various modes of prison punishments, and the errors of their originators, he thus eloquently continues:—

"But a mistake still more fatal to the offender and more mischievous to the community has been that of permitting intercourse amongst criminals, and sanctioning an imaginary classification of the guilty. Hence our gaols have proved to be, and have become proverbial as very nurseries of crime. In them the innocent have been contaminated; the germ of original guilt has been there quickened, and the latent tendency to evil fully developed; there those before vicious grow in wickedness, the dense atmosphere of impurity serves to invigorate their evil desires, and in these dark, loathsome and cruel habitations, the villany of the very worst becomes more wanton, deep-rooted, and ineradicable, whilst nurtured by the foul and fermenting aggregate of varied crime. And when the term of retribution has expired, the wretched victim, two-fold more the child of hell than before, goes forth ripe for the perpetration of more atrocious acts, and replenished with the seeds of every species of crime, which he has now acquired the disposition, the needful daring, and the power to disseminate. Soon does one so depraved, so prepared to glory in his shame, and so overcharged with vice, repeople the prison he has left, sending thither, it may be, *many* whom he has enticed, there to anticipate his own return! The picture I have drawn is neither imaginary nor exaggerated. The darkest colours fail to exhibit the dismal reality. Often, indeed, has it been my painful duty to hear some victim of many temptations, some wretched one burthened with sins and bowed down by sorrows, trace his misery and his aggravated guilt to a *forced* companionship with thieves and others alike depraved, when he was first charged with a foolish misdemeanour or convicted of some slight offence. And as often have I felt that, although that culprit must answer for his crimes, yet a responsibility, far more awful, rests upon those who might have prevented his degradation and consequent wretchedness!"

Thus we have shown the causes of the failure of the old systems of prison discipline; we shall now describe the separate and silent systems, as these prove the only plans that can really save.

We do not think it necessary to refer to the solitary system, as it is one contrary to humanity, and tending to render the prisoner insane. The chief evidence of this statement, and of the total failure of the system, is found in the fact, that when eighty convicts were placed in solitary cells, that is, cells into which no human being entered save in case of the sickness of the prisoner, in the year 1821, eighteen months afterwards, in the year 1823, the most disastrous results followed, especially as regarded insanity; and with the exception of a few,

whose sentences were about to expire, and others who were sent to labor, *all* the remainder were pardoned.*

The silent system is that which *assumes* that convicts can be compelled to work in community, without addressing each other by words or signs; but experience has most clearly proved that the system is exposed to many of the evils of the old plan of aggregation, and has the additional disadvantage of creating new prison offences by the breaches of the rule against communication. What the separate system is, Mr. Field thus describes:—

"On entering a cell it will be found light, sufficiently large—being 13 feet in length, 7 in breadth, and 10 in height, thoroughly ventilated, and of healthful temperature (54 deg., Fahrenheit.). Each is furnished with a small table and stool; shelves, on which are seen a pewter plate, a cup, and other requisites; a drawer, containing various articles necessary for cleanliness; and under this hang the prisoner's brushes, coverings for his knees when cleaning, &c. On the top of these shelves is a roll fastened by a strap. This is the hammock, composed of cocoa-nut fibre, and enclosing a small mattrass with other bedding, enough for the comfort of the prisoner. When prepared for use, this is swung across and secured by iron fastenings in the side walls of the cell. Projecting from one corner is a small cistern, from which pipes are laid on to a copper bason, and a sufficient supply of water is afforded for washing and other purposes, so that any necessity for leaving the cell is prevented. A gas burner is also seen over the table, and four cards are suspended along the walls, one containing extracts from the prison rules, another some particulars of the prisoner, the nature of his offence, the term of his imprisonment, &c.; the third is an appropriate form of morning and evening prayer; and the fourth, a short exhortation to say grace before and after meat, with a suitable form. Every apartment is also furnished with a Bible and Prayer Book, besides such other books and tracts as the Chaplain may consider adapted to the prisoner's state of mind, or likely to prove of advantage to him in the future circumstances of his life. Under a system of separate confinement it is most important that every culprit should have the power of calling for immediate assistance if required. A handle, by means of which a large bell is struck, is accordingly provided in each apartment, and by an ingenious contrivance the same turn of the handle causes a small bracket, on which the number of the cell is inscribed, to fly out from the wall, so that the warder on duty sees at once where his attention is desired. In the door will also be observed a locked panel, which is opened to supply the inmate with his food, &c., and above this is a small glazed aperture, through which the prisoner may be watched at any time, whilst a covering of dark

* See "Report on the Discipline and Management of Convict Prisons for 1852." By Lieut.-Colonel Jebb, p. 5.

wire gauze within prevents his knowing when he is the object of inspection. The locks, too, are so constructed as either to project a bolt which must prevent the door being closed, or when it is intended to fasten them from without, by touching a spring, this is effected in a moment. From the uppermost corridor there are two entrances to the chapel, which next claims our attention. This edifice is so arranged, that whilst all can unite in divine worship, the plan of separation is carefully preserved. To this end rows of pews or stalls are constructed one above another. These rows are filled successively, but each prisoner as he enters closes the door of his pew before the next is admitted, and a common bolt secures the whole row when filled. It is also contrived that the shelves of the higher tier should conceal the heads of the persons occupying those below. Thus prisoners are prevented seeing each other, and in order to check any attempt to converse, seats above these pews are filled by six of the officers during all the more public services. Below these secluded rows are open seats provided for debtors. It will be observed that all the pews radiate in such a manner that the pulpit is visible from every one, and of course all the occupants may be seen by the Chaplain when officiating. Near the desk a gallery is erected, containing pews for the Governor's and Chaplain's families, and additional seats for other officers of the establishment. The communion table, with its appropriate furniture, is opposite to the prisoners' seats; and at the back of them an arch is left open, in which an organ has lately been erected. Some account may here be given of the manner in which the prisoners are dismissed from the chapel. By entering one of the pews a letter and number will be seen on the shelf in front, and in a kind of telegraph, placed near the pulpit, corresponding letters and figures are provided. The prisoner seeing such, by this means, presented to his view as are similar to those before him, knows that he is then to leave his place. Thus all noise and confusion are prevented, and prisoners are kept at any distance from each other that may be desired."

Here the prisoner is removed from vicious contamination. Here he can be visited by the chaplain, and every long-dried spring of virtue can be revived as the spirit softens,—or the young heart that never knew a God, Almighty, save to blaspheme his august majesty, can be guided into penitence and righteousness when the first glimpse of heaven's love and beneficence dawns upon the blank tablet of his mind.

We have shown the amount of knowledge generally possessed by the juvenile prisoner, and in these separate cells where no older, or more wicked companion comes to harden his soul in sin, or to teach him unknown and graver depravities, he has time to repent, he is taught the real advantage of industry, religion is added to labor, and thus the great truth is inculcated and made active, that God is good, that work is the lot of man—Laborare

est Orare. The separate system has other advantages. It is deterring in its effect, even when the criminal is not reformed in heart, and, when the time of punishment is sufficiently long, the discipline of the prison seldom fails in securing amendment. In favor of this species of punishment the very highest names in the records of philosophy and philanthropy can be adduced, and all the English, Irish, and Scotch Judges of our time are its avowed advocates. The Reverend Mr. Clay, the chaplain of Preston gaol, stated to a Committee of the House of Commons, that he thought there should be no place of confinement in which the separate system did not exist; and he further declared that, in his opinion, recommittals, the great test of the value of prison discipline, were scarcely tangible under such a system. With this evidence, all who read Mr. Field's work must agree; after eighteen months' discipline of the system which he advocates few can leave the prison criminals in heart, whilst hundreds must quit its gates, blessing the day on which they entered.

Two objections have been made to the separate system. The first is, that it tends to render the prisoner a hypocrite, one such as Dickens has represented in *Uriah Heep*, who tries to deceive the chaplain and the visiting justices by a pretended sanctity and repentance. Mr. Field would prevent the success of this scheme by never shortening the time of punishment, and by avoiding all relaxation of the rules; and Mr. Smith, the chaplain of Parkhurst Prison, in his report for 1852, states; "I never distinguish with any special favor those who make a profession of religion, except that of admitting them to the table of the Lord. In all other respects they are treated exactly the same as other boys; and as this is well known among them they have no inducement to try to deceive by a specious pretence to piety, and it is very seldom attempted, except by some of the newly arrived ones; and as in their anxiety they generally overdraw the picture, and are never consistent with themselves, they are soon exposed, and are taught a lesson which they never forget. While I take every pains to beget and cultivate personal piety among my youthful but fallen flock, I am most careful not to give any encouragement to that religious trickery which shows itself chiefly in pious phrases, a whining voice, and a demure countenance."

The second objection made to the separate system is, that it weakens the mind. Mr. Field, Mr. Kingsmill, and all who

have carefully watched the results for years, are of opinion that when the attention commanded by the Legislature is bestowed upon the criminal, it is quite impossible that he can in any respect suffer in mind. Rules are made and carefully carried out, by which all the benefits of separation are guaranteed, and when necessary, relaxation is permitted. It has been clearly proved that the convict in the separate cell is not more liable to insanity than the soldier in Canada or the Mediterranean; and we have the very best reason for asserting, on the authority of one of the ablest prison chaplains of England, that the separate system is, when properly conducted, as safe and as healthful as any plan of imprisonment can be possibly considered.

With the separate system the young culprit is taught the truths of religion and all the necessary branches of common education. He can be instructed in a useful trade; the profit of his work can be allocated for his support; a portion of his earnings can be set aside to help him into honest courses as he quits the gaol; and if his offence be robbery, he can be forced to work until, as the late Lord Denman recommended, the value of the thing stolen should be restored from the profit of his labor. Thus the separate system gives all the opportunities of reformation that can be expected to spring from any plan of imprisonment. These advantages are well explained by the chaplain of Parkhurst, who writes:—

"My personal and in some sense familiar intercourse, with my flock, continues to be to me the most gratifying part of my duties. It is then that I get into their spirit, and worm out their individual trials and temptations—then that I can apply the Gospel remedy to the case of each lad—that I can listen to their regrets on account of past conduct, and to their little tales of home scenes and recollections. It is there that I can calm the troubled mind, and cool the fiery temper, roused by an imagined injustice—and then that I sometimes see the hardened quail under those revealed reproofs from which they would escape if they were administered to them only in the mass. But for this kind of intercourse I should feel that my office was comparatively useless, just as labour in a young plantation would be all but useless if each plant were not properly attended to."

But, it will be objected—consider the cost of all these chaplains and officers. We have considered the objection. We know that the full cost of the convicts in Pentonville Prison amounted, last year, to £17, 16s. 7d. per head, and that the daily average number of persons employed, for six and a-half hours,

was 550, whose average earnings amounted to £4 7s. 11d. per man for the year. But the cost of reformatory prisons is nothing compared to the cost of re-committals, of prosecutions, and of transportation under our present system. Mr. Clay has stated:—

"Looking to the criminal statistics published by Captain Willis, the Chief Constable of Manchester, and to the details which are given in the Liverpool calendars, and assuming that the ages of transports, generally, are represented in those returns, it would appear that of the 3,100 I have mentioned, 43 per cent. are under 21 years old—1,333; 45 per cent. are between twenty-one and thirty years of age—1,395: and 12 per cent., or 372, are above thirty years of age. Now, it is not taking too much for granted to say that criminals, sentenced to transportation before they reach thirty-one years of age, have commenced their criminal career at a time of life when they should have been learning a better way. But society has *ignored* their very existence. Let us see what society pays for its indifference. Offenders, generally, are not sentenced to transportation until they have appeared at the bar four or five times. I will, therefore, suppose the expense of between three and four prosecutions, at Assizes or Sessions, to be £50. The average imprisonment of each offender *before* transportation may be taken at three years, and the expense of it at £65; three years' probation in separate confinement, at Parkhurst, or public works, £50; removal to the Colonies, &c., &c., £35; total, £200. So that when 3,000 sentences of transportation are passed in a year, we may consider them tantamount to a notification to the public that a last instalment of a sum exceeding half a million sterling is about to be called for! To be as precise as the nature of this inquiry will allow, the 2,728 convicts under thirty-one years of age, to whom I have already alluded as having run the career of juvenile criminality, represent a cost *waste* of £545,600! But let it be remembered that the felonry of this Kingdom—and whether juvenile or adult, it belongs to this question to consider the fact—is not maintained, while at large, for nothing. Having investigated, to a considerable extent, the rates of income derived by thieves from their practices, and having obtained estimates of the same thing from intelligent and experienced convicts themselves, I believe myself to be within the real truth, when I assume such income to be more than £100 a-year for each thief! Well, then, allowing only two years' full practice to one of the dangerous class previous to his sentence of transportation, I do not know how the conclusion can be escaped that, in one way or another, the public—the easy, indifferent, callous public—has been, and is, mulcted to the amount of more than a million sterling, by, and on account of its criminals annually transported! But its criminals who are not transported—still living on their dishonest gains, or in our costly prisons! We must not forget them in our calculations of the cost of crime, though it will be sufficient for my present purpose merely to refer to them, and to say that I am convinced that their cost to the community *in* and OUT of prison amounts annually to some millions! This assertion may be somewhat startling: I will only state one fact

in support of it. Some years ago a committee of inquiry into the annual depredations of the Liverpool thieves, stated the amount of those depredations at *seven hundred thousand pounds!* Need more be said on the economical part of this momentous question? Need I ask you to balance between the charge of training the young outcasts of the country to godly and industrious habits, and the waste of money, time, and SOULS, consequent upon our neglect of an undeniable Christian duty?"

This is the result of our economy, but the late Mr. Rushton, the estimable police magistrate of Liverpool, stated to a Committee of the House of Lords, in the year 1847, that 14 juvenile cases in Liverpool cost 100 guineas, besides the expense of transportation. Seventy-seven boys were placed in the Warwick Asylum at a cost of, for the whole, £1,026, and 41 were reclaimed. "So that," he continues, "if you divide the cost by the number reformed, it will be found that while on our system at Liverpool it has cost100 guineas in each case, and that 10 out of 14 have been transported, it has only cost 25 guineas in the Asylum, where 41 out of 77 have been reformed." With these facts before him, Mr. Frederick Hill wrote most truly:—

"The expense of our present system is enormous. We commit and re-commit, each re-committal being a certain cause of increased future expense, as the culprit is but hardened in vice by contact with his fellows. From a return made to the House of Commons in February 1852, on the motion of Sir John Pakington, of the number of criminals not exceeding sixteen years of age, committed to prison in the years 1849 and 1850, we learn that in 1850, the total number of these juvenile offenders committed was 7070. Of these about three-tenths were under thirteen years of age, and of 757, under sixteen years of age, and remaining in prison on the first of November, 1851, 205 had been in prison once before, 90 twice, 49 three times, and 85 four times, or oftener; 45 were illegitimate, 329 had lost one parent, 103 were orphans, 327 were unableto read 554 had no trade or occupation. Had these children been committed to some reformatory school, we might, we would, have been spared the increased expenditure on their re-committal, and they would have become good and virtuous rather than more determinedly vicious." *

Great as this expense to the Nation is, another, and one far more injurious, arises from the continued crime in which

*See Hill's "Crime, Its Amount, Causes, and Remedy."

the unreformed criminals, let loose from our ordinary prisons, live. Mr. Garwood quotes, from the City Mission *Reports*, the case of a man who had been twenty years a pickpocket: he had during that period been twenty times in gaol, and had trained five hundred young thieves. In Mr. Clay's *Report* of the Preston House of Correction, for the year 1850, there is a very remarkable and important narrative of the depredations of a gang of fifteen pickpockets. The facts were revealed to Mr. Clay by one of the culprits named Flanagan, and the estimates given were verified by questioning the other members of the "pickpocket division." Mr. Clay writes:—

"Estimate of the loss inflicted on the public, by the undermentioned pickpockets, &c., during their several careers:—

1. Richard Clarke,	during a career of	6	years	£2820
2. John Clarke,	,,	5	,,	500
3. Edward Clarke,	,,	3	,,	1650
4. Ellen Clarke, (O'Neill)	,,	2½	,,	1550
5. John O'Neill,	,,	9	,,	1450
6. Thomas O'Gar,	,,	6	,,	300
7. James O'Brien,	,,	3½	,,	1400
8. Thomas M'Giverin,	,,	7	,,	1900
9. Thomas Kelty,	,,	20	,,	8000
10. John Flanagan,	,,	14	,,	5800
11. John Thompson,	,,	5	,,	1800
12. John Bohanna,	,,	6	,,	1500
13. J. Shawe,	,,	3	,,	600
14. W. Buckley,	,,	7	,,	2100
15. Sarah Dickenson,	,,	3	,,	630
				£32,000

To give a more exact idea of the extent to which the public may be plundered by a *single hand*, I subjoin the particulars of such robberies as Flanagan can remember to have committed. These particulars are arranged from Flanagan's MS., in the order of their dates. In making out his list, F. was directed to enumerate those robberies only in which the value exceeded £10. He stated, however, that his robberies *under* £10 would far exceed in amount those *above* that sum. 'Oh, sir,' he said, 'when Macready would be acting at the Manchester Theatre, I could get three watches of a night, besides purses.'

1838 and 1839.

Value.	Where robbery committed.	From whom.
£20	Concert, Liverpool . .	A gentleman.
15	Theatre, Liverpool . .	A gentleman.
11	Zoological Gardens .	A lady.

Value.	Where robbery committed	From whom.
£30	Coach-office, Liverpool	Proprietors.
46	Auction, Broughton-road	A lady.
30	Auction, Cheetham-hill	A lady.
15	Auction, Pendleton	A lady
21	Manchester	A till from a liquor-vault.
50	Manchester	A till from a public-house.
11	Leek, Stafford	Shopkeeper.
85	Hanley Races	A gentleman.
49	Northallerton Fair	A drunken farmer.
12	Liverpool Packet	Passenger.
18	Liverpool Packet	Passenger.
30	Liverpool Packet	Passenger.
45	Horncastle Fair	A lady.
17	Leeds Fair	A butcher.
	1840 and 1841.	
10	Lincoln Fair	A gentleman.
14	Lincoln Fair	Captain of a boat.
10	Spalding Fair	A farmer.
11	Horncastle Fair	A maltster.
10	Liverpool Races	A gentleman.
16	Liverpool Races	A farmer.
17	Chester Races	A lady.
11	Manchester Races	A lady.
	1841 and 1842.	
10	Manchester Theatre	A lady.
70	Bury Fair	A cattle-dealer.
250	In the street at Manchester	An officer of the Highlanders.
15	Knutsford Races	A jockey.
30	Doncaster Races	A publican.
18	Nottingham Races	A butcher.
14	Derby Races	Unknown.
13	Crowle, Lincoln	A publican's wife,
12	Caister, Lincoln	Farmer.
11	Market Raisin	Gentleman's servant.
60	Brigg Fair	Farmer's wife.
21	Louth, Lincolnshire	A coachman."

Thus we have shown, from the best and truest sources, the only methods by which the Prison can be rendered really useful: and we have placed before the reader the various advantages of that system which we advocate, and have pointed out the terrible evils of our present imperfect discipline. We squander thousands in prosecution, but we will not spend hundreds in reformation, or in prison education, which will send the young criminal out into the world, able to exist by his own honest industry—an industry which he had learned

in the separate cell, where likewise he learned that there was a God to reward and punish. He would be there removed from his vicious companions, and from the old haunts of crime, gaining strength to resist the temptations of former associates—for, as Mr. Plint observes—"The connexion of the young criminal with his class must be broken, ere scholastic instruction can be made to tell on his moral nature. Such instruction will fall upon him as powerless and futile as straw-darts on the scales of Leviathan, so long as the associations and the scenes of his daily domestic life, if domestic it may be called, bring daily more than counteraction."*

We have dwelt at considerable length upon this portion of our subject, because it is perhaps the most important of all. We shall, in a future number, discuss the various systems of convict labor, but we cannot defer recommending to all who wish to be fully informed upon every point of prison discipline, the invaluable works, by the Reverend Mr. Field, and the Reverend Mr. Kingsmill, with which we head this paper, and to which, in its course, we have so frequently referred. They have done all that the Priest, the Scholar, and the Patriot could accomplish to place a most important subject, in its various phases, and in its true position, before the Kingdoms.†

But as our prisons are not yet perfect; as the Nation has yet to learn its real interest, the "City Arab," and the "Home Heathen" must be prosecuted at the expense of the rate payers, or educated into honesty at the cost, and through the charity of the wise and good. And as there has never been a period in the history of our people when kind hearts, and noble minds were wanting in genuine humanity to aid the lowly, so here, in support of Reformatory Schools, we find placed before us the excellent works of Mr. Thomson, and of Miss Carpenter.

Mr. Thomson is a magistrate of Aberdeen, and a most ardent, yet careful, guardian of the poor, and he considers that the interests of all classes can be best secured by teaching the poor that virtue is superior to vice. Miss Carpenter is a

* See Plint's "Crime in England, its Relation, Character, and Extent, as Developed from 1801 to 1848," p. 151. This is a very excellent book, in intention, and most carefully compiled, but with many, very many, of its elaborate deductions we cannot agree.

† See a very important paper in "Meliora," Second Series, p. 130, by Mr. Field, entitled "Hints on Imprisonment and Penal Labour."

lady, of humble position, who has devoted her life to the reformation of juvenile criminals. Of what, with care, might be accomplished Miss Carpenter is a most safe authority; of what has been achieved, and of the means by which it has been brought about, Mr. Thomson is the best and surest exponent. All the sources of juvenile crime which we have, in this paper, indicated, are admitted by him to be correct, and were, about the year 1840, found to have produced the most serious effects in the town of Aberdeen. Mr. Watson at that period held the office of sheriff, and he thought that some measures should be adopted by which the every day increasing evil might be checked in his shire, and he accordingly planned the now important schools of Aberdeen. There is nothing absolutely new in the Aberdeen schools; they possess no one feature which is not to be found in some other school, or poor house, or hospital. But the perfection of the system lies in the complete combination of all the perfections of every other Industrial school.

It was known that in June, 1841, there were 280 children in Aberdeen, under fourteen years of age, who maintained themselves, professedly by begging, but partly by theft. Of the 280, it was discovered that 77 had been committed to prison during the year ending June, 1841. The Magistrates of Aberdeen are wise, clear-headed men, and they thought that God and the Nation would be the more honored, and the latter the more benefited, if some plan were adopted by which the younger portion of the poor could be saved from the contamination of the street, and the gaol, through the instrumentality of the Reformatory School. A committee was accordingly formed, and in October, 1841, a subscription, under one hundred pounds, was collected, and with this sum the Managers resolved to commence their experiment, and opened a school in large but humble rooms, in which it was announced that food and instruction would be given to sixty children, who would be employed in such work as suited their years. No child was, of course, compelled to attend; but the child absent from morning school received no breakfast; the child absent from forenoon school received no dinner; the child absent from afternoon school received no supper. The effect of these rules was to produce a better attendance than at the ordinary day schools. The children devoted four hours in the day to

lessons; five hours to work; and they received three substantial meals per day. The whole produce of the children's industry was and is devoted to the support of the institution, and they are thus wisely taught that they pay, by the produce of their work, the cost of their support and education. Under this system, as under that of the Ragged schools, children who were at their entrance rough and violent soon became obedient and docile, and whilst juvenile criminals, or unconvicted offenders, were thus learning the value of honest labor, the Police Returns were lightened, and the rate payers were relieved from a portion of the ordinary amount of taxation.

The Committee do not profess to clothe the children, but through the kindness of friends they are enabled to distribute such portions of clothing as may be necessary to the most destitute of the scholars. *Kind training* is the whole principle of the system. The children are taught the common branches of instruction; they are taught the truths of religion, and are all fed; thus every species of attraction is opened to poor parents, and the young scholar is made a self-supporting Christian for life, at a lesser cost than would be placed upon the country by a single conviction for one offence against person or property. We now place the working of the system before the reader, in Mr. Thomson's own words:—

"The following is the daily routine of the school:—The scholars assemble every morning at seven in summer, and eight in winter. The school is opened by reading the Scriptures, praise and prayer, and religious instruction suited to their years; after which, there is a lesson in geography, or the more ordinary facts of natural history, taught by means of maps and prints distributed along the walls of the school-room; two days in the week they have a singing lesson; at nine they breakfast on porridge and milk, and have half-an-hour of play; at ten they again assemble in school, and are employed at work till two; at two o'clock they dine usually on broth, with coarse wheaten bread, but occasionally on potatoes and ox-head soup, &c. The diet is very plain, but nutritious and abundant, and appears to suit the tastes of the pupils completely. It is a pleasing sight to see them assembled, with their youthful appetites sharpened by four hour's work, joining, with outward decorum, in asking God's blessing on the food He has provided for them, and most promptly availing themselves of the signal given to commence their dinner. From dinner till three, the time is spent in exercise or recreation; from three to four they work; and from four till seven they are instructed in reading, writing, and arithmetic. At seven they have supper of porridge and milk, and, after short religious exercises,

they are dismissed to their homes at eight. On Saturday they do not return to school after dinner; and occasionally, as a reward of good behaviour, they accompany the teacher in a walk to the country or the sea-coast. On Sunday they assemble at half-past eight for devotion; breakfast at nine; attend worship in the school-room; after which, they dine, and return home so as, if possible, to go with their parents to church in the afternoon. At five they again meet, and have *Sabbath-school*-instruction in Bible and Catechism; at seven, supper; and, after evening worship, are dismissed. The children of these schools having, in general, no example of *industry* shewn to them at home, it is a new thing, a new idea to them; and here lay one great difficulty at the outset—it seemed impossible to get them to persevere in their work. By degrees, however, the teacher prevailed; and sooner, perhaps, than could have been expected, work became a pleasure rather than a penance; and now, when two or three new scholars are admitted, however bad their previous habits may have been, there is little difficulty in managing them—they soon fall in with the established order of the school, and quietly learn their tasks. The feeding the children is also a peculiar feature in these schools, and it is the part of the system, the value of which is most clearly and distinctly appreciated by the scholars, and, perhaps, by their parents. Industrial schools for a *higher* class, may be conducted with all efficiency, without food being furnished to the scholars; but, for the class for whom these schools are intended, it is absolutely essential. In no other way can it be proved to them that there is an earnest desire to promote their advantage. They want food; it is offered to them, but on the condition that they take the teaching and training along with it: hence the rule, that absence from the work or lessons preceding each meal, unless for sufficient cause, forfeits the succeeding meal. Under our present laws, they cannot be forced to come; they can only be induced and tempted by obvious and palpable advantages offered to them. It was said at the commencement, that they would never attend regularly; that they might come for a day or two, but they would soon leave, and return to their idleness. Experience, however, has proved the contrary; the food has been an irresistible inducement. A few were removed by their parents, who preferred the wages earned by their children as beggars to all the inducements held out to them; for there was no power and no wish to compel attendance. A few left, because they could not endure the restraint to which the school subjected them; but the large majority continue till they are provided with remunerative-employment elsewhere, or till their parents come to have the ability, and to see the duty, of themselves maintaining and educating their children. The original Boy's School was opened on 1st October, 1841, with 20 scholars, which number was gradually increased to 60. The total number admitted during the first six months was 109; and it is no wonder that at the outset some were admitted who were unsuitable, and some who, only remaining for a day or two, could not know whether they would like the school or not, and others whose parents would not permit them to remain; but by the time the school was fairly in operation, viz., the months

of February and March, with 60 on the roll, the average attendance rose to 53½ daily: the average for the whole six months was 36. The amount of work done for the first six months was £25, 19s., or nearly £1 per week, or 14s. 6d. for each scholar. The total expenditure for the six months was £149, 15s. 4½d., of which, for food £81, 18s. 9d., or for each, £4, 8s. 10d.; and, deducting his earnings, £3, 13s. 4d., equal to £7, 6s. 8d. per annum—a cost, as was to be expected, considerably greater than in after years. From 1st April 1842 to 1st April 1843, the number of admissions was 103—the average daily attendance was 52. The amount of work done was £58, 19s. 4d.—about £1, 2s. per week; and the total expense for the year, £338, 10s. 9d., of which, for food alone, £235, 6s. 2d. The expense of each scholar was thus £6, 8s. to the Institution, and his earnings £1, 2s. 8d., leaving, as the cost of feeding and teaching each boy, £5, 5s. 4d. The latter part of this year, and the commencement of the following, proved the *critical* period in the history of the establishment. The interest felt in it by the public, at the first opening, gradually subsided, the subscriptions greatly fell off, and the directors must have abandoned their scheme and dismissed the children, but for the liberal donations given by the Town Council and by the trustees of the Murtle charitable fund. Even with these aids, they were compelled to refuse almost all fresh applications, and even to dismiss all whose cases were not of the most urgent description; thus reducing the number on the roll from 59 to 35. The public, however, began to take a more lively interest in the school. Subscriptions came in, and the directors once more opened their doors to all applicants; and by the 30th March 1844, the number on the roll was 69. It may illustrate the class of children attending this school, to give the ages and family circumstances of these 69:—Under seven years of age, 4; between seven and eight, 5; between eight and nine, 11; between nine and ten, 18; between ten and eleven, 11; between eleven and twelve, 5; between twelve and thirteen, 10; between thirteen and fourteen, 5; orphans, 4; motherless, 4; fatherless, 36; both parents alive, 25. Thus, of the 69 boys, 45 were from eight to twelve years of age—precisely the period when teaching and training are most needful for those who must support themselves in after-life by their own industry. No less than 36 had lost their fathers, while only 4 had lost their mothers. Ought not this to teach the public the duty and necessity of coming promptly and effectually to the aid of the widow, to enable her to train up her children, so that they may not prove a torment and disgrace to her, and a pest to society? Inquiry into the 25 cases where both parents were alive shewed, that in some the father had deserted his family, and that in others he was disabled from work. For the whole of this year the average attendance was 44¾, and the earnings, £54, 14s. 6½d., or £1, 4s. for each; and the expenditure, £252, 6d. 8d. (of which for food, £182, 9s., being £4 a year for each)—making the average expense of each pupil £5, 12s. 1d., and, after deducting the earnings, £4, 11s., of net outlay. For the year 1844-45, the average attendance was 51½, and the earnings, £71, 6s. 11½d., or £1, 7s. 8½d. per head. The total expenditure, £309, 4s. 10½d.: £5, 18s. 10d. each,

or, deducting earnings, £4. 11s. 1½d per head. During the year, 17 boys left school, having got employment in various ways; 4 were removed by their parents, who had become able to support them; and 4 were admitted into other charitable institutions. At 1st April, 1845, the number on the roll was 27. Under seven years of age, 6; between seven and eight, 11; between eight and nine, 7; between nine and ten, 15; between ten and eleven, 11; between eleven and twelve, 4; between twelve and thirteen, 8; between thirteen and fourteen, 3; 38 were fatherless, 2 motherless, and 32 with both parents alive, but eight of them deserted by the father—making, in point of fact, 46 of the 72 to be fatherless. Farther, it is to be mentioned in this year's Report, that, of the 72 boys, 24 have attended the school for more than two years, 18 for more than one year, and 30 from one to twelve months."

The result of these schools was found to be so satisfactory, that in June, 1843, a Girls' Industrial School was established, upon the same plan and with equally good effects; and in May, 1845, a Juvenile School was founded, which first took the form of a soup kitchen, and eventually, the way to the brain and heart, really in this case, lying through the stomach, became a very useful industrial and educational institution. These effects were produced by a power given in the local Police Act of Aberdeen, which authorises the force to suppress juvenile mendicancy. Mr. Thomson thus describes the manner in which the scheme of repression and reformation was accomplished:—

"The object proposed by this new school was to put an end to juvenile mendicity, by at once laying hold of the whole of the offenders, under authority of the Police Act, and providing them with food and instruction. When the plan was fully explained to the police authorities, they most judiciously agreed to pay from the funds the expense of the teachers for a time, until the experiment should be fairly tried. The managers of the Soup-kitchen gave the use of their buildings gratis; and the great moral experiment was commenced with only £4 sterling of money collected. Instructions were given to the police, on the 19th May, 1845, to convey every child found begging to the Soup-kitchen; and, in the course of the day, seventy-five were collected, of whom four only could read. The scene which ensued is indescribable. Confusion and uproar, quarrelling and fighting, language of the most hateful description, and the most determined rebellion against everything like order and regularity, gave the gentlemen engaged in the undertaking of taming them the hardest day's work they had ever encountered in their lives. Still, they so far prevailed that, before night, their authority was comparatively established. On their dismissal they were invited to return next day, informed that they could do so or not as they pleased, and that, if they did, they should be fed and instructed, but that whether they came or not, begging would not be tolerated. Next

day, the *greater part* returned! The managers felt that they had triumphed, and that a great field of moral usefulness was now secured to them. The children brought to this school were far below those who attended the other two institutions, low as they appeared to be when the schools were first opened; and the scene of filth, disease, and misery, exhibited even in the school itself, was such as would speedily have driven from the work all merely sentimental philanthropists. Those who undertake this work, must have strong sound principle to influence them, else they will soon turn from it in disgust. The school went on prosperously, it soon excited public interest, funds flowed in, and, what was most gratifying, the working classes took a lively interest in it; and, while the wealthier inhabitants of Aberdeen contributed during the year about £150 for its support, the working men collected, and handed over to the committee, no less than £250."

All men, rich and poor, felt the benefits of these efforts. The poor in particular subscribed most liberally, and did so because they felt that by snatching the young criminal vagrant from the street, their own children were saved from contamination. They stated, as Mr. Thomson writes:—"Before this school was opened, we were afraid to trust our children a moment out of doors alone; they were exposed to learn, and did learn, all manner of mischief; but now this school has cleared the streets of the little vagabonds who corrupted them. We are not now afraid to let them out, and therefore we support this school."

Here we possess a very valuable means of judging of the various benefits of the Aberdeen system in reforming the young offender, and in rendering education acceptable to the very poor; the children attend regularly, and whilst, in 1841, the number of children under twelve years of age committed to prison in Aberdeen was sixty-one, in 1851, the numbers had declined to five. This fact is clearly attributable to the schools. The first was opened in 1841, the number of juvenile committals was in that year, as just stated, 61; it declined in 1842 to 30, but owing to the dismissal, for want of funds, of many scholars in 1843, the number of juvenile committals rose to 63. These are important facts, and should be viewed in relation to the improved condition, in soul and body, of the child. The cost, too, of prisons and of these schools, is most important. Mr. Thomson states:—

"When we get hold of these children, and instead of sending them to prison, bring them to our Industrial Schools, we find the whole expense of teaching and feeding them is under £5 a-year. And of that expense, on an average, about £1 5s. is saved to the

school by the work of the children. So that we can bring up children, so far as man can do it—honestly, and industriously, and religiously, at an expense of £3 15s. per annum. Whereas, if you send them to the poorhouse, they cost about £10 per annum each with us, and I believe a larger sum in this country. If they are sent to prison, we know that the expense is from £18 to £20; and if we send them upon the distant voyage to Australia, we know that the cost altogether amounts to a very large sum. Upon an average of cases, we find that five years' training in the Industrial Schools is sufficient to make the child a useful member of society; and suppose the expense to amount to £5 per annum, we have then the choice of making one of these children an honest and virtuous member of society for £20, or of sending him ultimately into a penal settlement, at a great cost."

To these Feeding, and to the Ragged, Schools the truest feeling of sympathy should be extended. Miss Carpenter, whose experience is wide and watchful, considers that from both these systems the very best results must spring. The efforts already made prove that no class of society is too degraded to be improved, and that the young criminals and the juvenile vagrants may be reclaimed by exertions judiciously made on their behalf; such efforts must be successful, if we do not expect from them what they cannot possibly effect. The minds of the boys become deeply impressed by feelings of affection for their teachers. Before entering the Ragged Dormitory a long and harassing probation is required: breaches of rule, and misconduct, are punished by hard, scanty fare, and many boys dismissed from the school have entreated the masters to restore them, and have endured most severe deprivations of food and companionship to secure re-admission.

These Feeding Schools, and Ragged Dormitories should be supported by freely given alms; refuges should be established for discharged juvenile criminals. Mettray is an example of what may be accomplished in this way. Writing of that institution, Mr. Turner, of the Philanthropic, informs us that "since its first establishment in 1839 there have been received 521. The number of present inmates is 348, leaving a remainder of 173 to be accounted for. Of these 173, 17 have died, 12 have been sent back to their prisons for misconduct, and 144 have been placed out in various situations in the world. Of the 144 thus placed out, 7 have relapsed into crime, 9 are of doubtful character, and 128 are conducting themselves to the full satisfaction of the Directors and of

the 'Patrons,' under whose superintendence they have been placed."

In England we have the Durham Refuge, established in 1848 by the Chaplain and Governor of Durham gaol. It has restored 359 prisoners to their friends, or placed them in situations where they can earn their bread by honest industry:—of these, only twelve were recommitted. The Great Smith-street school, Westminster, of which Mr. Martin writes, is another excellent institution, and has reclaimed numbers from the evils of vicious association. A Refuge is necessary, indeed; for no sooner does the out-going criminal reach the prison gate than his old companions gather around him, and thus he is lost because there is no Mettray for England. As we shall in a future number refer to Mettray, we here place before the reader Mr. Field's concise account of that institution:—

"By the 66th Article of the Penal Code it is decreed:—'that when the accused party shall be under sixteen years of age, if it be decided that he has acted *sans discernement*, he shall be acquitted, but, according to circumstances, shall be returned to his parents, or sent to a house of correction, to be there educated and detained for as many years as his sentence shall appoint; provided always, that the sentence shall not extend beyond the period when the boy shall be twenty years of age.' It is then from the class described in the above article, that the children placed under discipline at the Mettray Establishment are selected. They have been sentenced to the loss of liberty for a sufficient term to allow of some length of penal treatment, and if the offence has been committed in Paris or its environs, this is inflicted in the Cellular Prison of La Roquette; this imprisonment is succeeded by the course of religious and industrial instruction, which is provided at Mettray, and of which the pupils are stimulated to avail themselves, by numerous rewards, and the certain expectation of future advantage, whereas if they misconduct themselves they are sent back again to prison. By the various reports which have been published, and by private correspondence with a clergyman residing in the immediate neighbourhood, I have ascertained that since the establishment of the institution, about six hundred boys have been under its discipline. There had been up to the date of the last official report in my possession, five hundred and twenty-one boys received. Of these, 348 were still inmates of the Institution; 17 had died; 12 had been sent back to prison for misbehaviour; 144 had been placed in situations. Of these one hundred and forty-four, no less than one hundred and twenty-eight were conducting themselves to the entire satisfaction of the 'Patrons,' whose duty it is to watch them carefully during three years; seven had been again convicted, and the character of nine is doubtful. The foregoing brief description suggests some thoughts on this interesting subject, in addition to those noted in my former publication. Whilst the French code,

which has been quoted, presumes children under sixteen years of age to have acted *sans discernement*; our own law supposes an infant, (defined, to be one under the age of fourteen years) to be *incapax doli*. If, however, evidence be adduced, proving that an offender thus young, hath knowledge to discern betwixt good and evil, he is responsible and subject to punishment. And truly, in such case, our penalties commonly inflicted, have been of a kind to perfect their capacity for this, and to destroy any perception of good. If they have been precocious in wickedness, our prisons have furnished them with accomplices, and they have soon become adepts in villany. Well is it for us that although late, men are now everywhere learning this truth. Hence the improvements of Parkhurst, and the more perfect plans of Mettray."

Some such plan as this of Mettray must be adopted in these Kingdoms. Mr. Recorder Hill states that we might prevent juvenile crime by *anticipating* the offence; but even in Parkhurst, where our slovenly imitation of Mettray, and of the Rauhe Haus, in Hamburgh, is attempted, we compel the Chaplain to complain, in his last *Report*, that the class of officers employed is not calculated to aid in developing the full advantages of the system.

It is easy to raise objections to the various suggestions here offered; it is quite within the ability of the penny-wise politician to declare that the expense of all these proposed changes is enormous, but there is a terrible argument in the fact that crime is every day increasing, that CRIME IS BECOMING, as Mr. Frederick Hill states, HEREDITARY. We do not contend that the manufacturing districts are more criminal than the agricultural. Mr. Clay has truly said—"IT IS NOT MANUFACTURING MANCHESTER, BUT MULTITUDINOUS MANCHESTER, WHICH ENGENDERS CRIME." But in this Multitudinous Manchester there are, as we have proved, all the demon vices which ignorance can foster. In our cities and hamlets there are all the seeds of crime, and we never seek to check its growth, but permit every evil influence to flourish in the dank soil of godless, undirected, nature. So it was in France when the first fierce roar of a maddened people arose to drown the voice of Religion, of Virtue, and of Humanity: so it may be in England, if the facts which Mayhew, and Garwood, and Beames, and Worsley, and Hill have disclosed be suffered to continue,—facts disgraceful to England, and most dangerous to the integrity of the Kingdoms. To have freed the slave is noble; to have emancipated all religions is noble; to have taught the world great principles of justice

is noble; to have civilized and colonized new worlds is noble; to have defeated the conqueror of all European Nations is noble; to have produced poets and orators, historians and painters, and sculptors, whose names are words of love and reverence in all lands, is noble—all these are high and glorious things to be recorded in after times—our shames are our Juvenile Criminals, and our Prison Discipline.

That many of our most influential and world-known men are now able to understand these truths is evident; and the speeches addressed to the Birmingham Conferences, on Juvenile Delinquency, held in 1851, and on the 20th of December, 1853, must have explained the bearing of the subject, in all its relations, to those who feel the slightest interest in this most important movement. Ireland, we are aware, is not so active in this matter as she should be, although, by the evidence of Mr. John Ball, M.P., given before the Committee on Criminal and Destitute Juveniles, it appears that this class is rapidly increasing in Dublin, Limerick, Belfast, Cork, and indeed in all our large towns. Over-crowding in lodging houses, and the total neglect of all decency, in these places must create and perpetuate this class of criminals in Ireland. It has, as we have proved, had the most marked effect in England, and the following table will show the condition in which, in one district of Dublin, the poor herd together: it should be premised that the greater number of these kennels are common lodging houses, taking nightly lodgers, not included in the enumeration of occupants:—

Districts.	Houses Occupied by Room-keepers.	Rooms.	Beds.	Persons.	Privies.
The Coombe.	102	513	784	1890	72
Cole-alley.	34	177	131 & 273 "wads" on floor.	930	26
Skinner's-alley.	18	77	158	304	14
Pimlico.	24	110	182	424	16
Thomas-street.	80	491	751	1656	49
Bridgefoot-st.	28	151	319	658	21
Meath-street.	70	421	641	599	41
Francis-street.	72	467	777	626	58
Church-street.	105	635	872	2435	77

When, in the year 1818, Jeffrey reviewed Buxton's work on Prison Discipline, he lamented that subjects, such as that advocated in the book before him, were not more frequently urged upon the attention of the Legislature; and attributed the neglect to the fact that all such questions, being devoid of party interest, were considered unworthy of discussion. But now the subject of Prison Discipline, and of Reformatory Schools, has acquired a National importance, and upon the Committee of the Birmingham Conference we read the names of Lord Calthorpe, Sir John Pakington, M. P., Lord Lyttelton, the Earl of Denbigh, Lord Leigh, the Bishop of Worcester, Sir Robert Peel, M. P., and others of note. Many of those with whose works we head this paper attended, and although differences on collateral points occasionally arose, in discussing the subject of punishment, yet all united in the fullest concurrence with the sentiments of the Speaker of the House of Commons, who wrote—"If we can arrive at the establishment of well conducted reformatories for juvenile delinquents we shall do more towards the suppression of crime than by the best system of prison discipline for adults that has ever yet been devised."

These are sentiments worthy of one holding the high position of him who wrote them, and such as should be addressed to a Committee issuing a circular similar to that sent forth by the managers of the Birmingham Conference, and from which we extract the following passage explaining the objects and hopes of the advocates of Juvenile Reformation:—

"The propositions which the Conference of 1851 laid down as the basis of their discussion, and the resolutions which they passed, have, we believe, in the main, gained the general sanction of public opinion. Legislation, however, has not taken place, and there is much need of continued impulse being given to it by a repeated public attestation of the increasing urgency and importance of the subject, while it will also be highly advantageous that the additional experience and more matured convictions which have been since acquired should be collected, compared, and recorded. Throughout England private experiments have been, indeed, meanwhile rapidly increasing in number; but such efforts, however praiseworthy in themselves, are and must be wholly inadequate to the great object in view, while unassisted by legislation. Scotland has also established local reformatories in six of her chief cities, and one of them, Glasgow, has obtained an act authorizing local taxation for the purpose. The increase of crime, and loss of honest industry thereby occasioned in this country, are lamented by all; yet, still, have we to regret that England remains almost the only

civilized country in which the Legislature deals with the moral destitution and crimes of children by means of imprisonment alone, and hesitates to establish the remedial institutions which other nations have learnt to reckon among primary provisions for the welfare and safety of the community. The fact that transportation, as a chief means of secondary punishment, is now ceasing, aggravates the perplexity and mischief arising from this national neglect. Since the last conference a most useful and extensive inquiry into the condition of criminal and destitute children has been carried on by a select committee of the House of Commons, and a bill for securing the supply, maintenance, and efficient action of reformatory schools throughout England, was introduced into Parliament at the close of the last session, and only withdrawn, after its second reading, upon the assurance of the Government that they would take the matter in hand early next year. It is evident, however, that the Government will be materially assisted in fulfilling this promise if supported by sustained public interest and watchfulness."

These sentiments but express the truth of a statement made so long ago as the year 1557, in the First Ordinances of Bridewell, where it is asserted that there is as great a difference "between a poor man and a beggar, as between a true man and a thief;" because, it adds, a beggar "is one who never yeildeth himself to any good exercise, but continually travaileth in idleness, training such youth as cometh to his or their custody to the same wickedness of life." To see these old hints at government now furnishing guiding matter for our legislature is satisfactory; and if those gentlemen who attended at Birmingham on the 20th of last December be but as active and resolute in their own spheres of usefulness, as their speeches afford reason to hope they will, that cause which Mr. Field, Mr. Kay, Mr. Kingsmill, Miss Carpenter, and Mr. Thomson, have so long, so earnestly, and so successfully advocated, must become the chosen system of the country. If *The Times* newspaper will but continue its present able support of the friends of Reformatory Schools, the work may be looked upon as half accomplished. That journal, in the number for Thursday, December 22nd, 1858, contained a most powerful analysis of the chief topics urged at Birmingham, and in the following passage condensed the entire gist of the question:—

"We know of no reason why a duty of such public interest should not be undertaken by the public, unless we are to yield to that miserable jealousy which would represent anything like public benevolence as a robbery from the common stock

of the innocent for the reward of the guilty. We may, indeed, be told that we are proposing to do more for the young pick-pocket than we do for the honest and industrious child of the village labourer, inasmuch as we propose to teach one a profitable craft, and leave the other plodding his weary way through the clods of the field. Unfortunately, the present plan costs quite as much as the most refined philanthropy could possibly do. We believe it is no exaggeration to say that every London pickpocket sent to Holloway Prison costs the pay of a curate,—of a gentleman who has had a University education, and whose office is the most dignified that man can aspire to. We are spending the revenue of a State in mere punishment, or rather revenge; for what is punishment but revenge, when it leaves our foe worse than it found him? It has been ascertained that individuals have cost the country several thousand pounds in their repeated prosecutions and punishments, and thousands of houseless wretches of all ages cannot wander about the streets without an amount of depredation that must tell seriously on the profits of trade and the cost of living. In fact, there is nothing so expensive as crime. It is the leak in the ship, which may seem a small matter, but spoils the whole cargo, compels delays, overtaxes the strength of the crew, and throws everything out of course and trim."

Our task ends, for the present, here; we have endeavoured to place the entire subject before the reader,—it deserves most serious attention, and it is one to which we shall frequently return. None can doubt that the success or the failure of the important questions of Prison Discipline and of Reformatory Schools depend completely upon the people of these Kingdoms. We have, in this paper, shown the various causes whence juvenile crime springs; we have collected the opinions of many men upon these evils, and upon their remedies; but all the efforts of all our most undaunted champions of the young offenders, must fail of success unless the Nation will learn that to teach God's law to a poor child criminal, or a neglected child who may become criminal, is cheaper than to leave him to learn man's law from the judge, and the devil's code from his fellow prisoners.

ART. II.—PHASES OF BOURGEOIS LIFE.

Memoires De Jerome Paturot, Patenté, Electeur, et Eligible. Par Louis Reybaud. 2 tomes: Paris.

"OH! what a delightful story, and how true to nature!" is a common exclamation, when we discover a work of fiction furnished with a skilfully contrived plot, a well sustained group of characters, and the closing scene embellished with a picturesque and well painted view of the temple of Hymen. This is the inconsiderate judgment of the pleased and interested reader; and yet, a Pantomime, a work of art that has never yet been considered a model, as far as unity of purpose, or a truthful image of life, is concerned, resembles much more what we see in the ordinary economy of this world of ours. For, as the hero and heroine, after various trials and troubles, have vanquished Giant Despair, and his crew of impish followers, and are now in the abode of peace, in the island of Silver Streams, and may naturally expect repose and content, hey, presto! after basking for a moment or two in the smiles of the satined and spangled Good Genius, they are obliged to begin, de novo, new turmoils and fatigues, and some of these attended with mean and pitiful circumstances, from which their former trials and suffering were exempt. Hence it is, that such works as *Gil Blas*, *Hajji Baba*, and even the *Dodd Family*, bating its narrow-minded and illiberal views and extravagance, are nearer a true portraiture of human experience, than other fictions that approach the normal pattern of such productions. As we propose, in our foreign selections, to inform, as well as interest our readers, we pass by those stories that smack of the feverish-excitement-combinations manufactured for the feuilleton, and take up the married state of our old friend *Jerome Paturot*,* satisfied that we cannot fail to meet therein pleasant and true sketches of the ordinary, every-day, life of the Parisian Bourgeois.

What we relish in the satirical pictures of Reybaud, Morier, and Thackeray (the latter when in his best moods), is the good nature and love for their kind that is ever peeping out through the tissue of their raillery. They are like fathers or teachers looking on at the gambols of their children or pupils, and indulging in a smile or genial laugh, at any ridiculous mischance

* See IRISH QUARTERLY REVIEW, Vol. III. No. 11, p. 497.

that occurs; but the ill-natured sneer is seldom seen on their countenances. Thackeray, indeed, is affectedly fond of unearthing some mean motive as the prime mover of our actions, even of the best kind, and of turning up the drawing-room carpet to show the proud lady of the mansion the ends of the threads, and the blurred and incongruous appearance of the wrong side. We would say that he finds it difficult to create or fill any character varying from a regular stock company engaged several seasons since, among whom figures the selfish, unprincipled, amusing, traditional, Irish *Teague* handed down from Farquhar, and whom he will resign for any earthly crowns, no more than *Miss Miggs* would abandon *Sim Tappertit*. We regret his poor opinion of Irishmen, but cannot afford to find grief for such mischances. He has been through our island, and, with our faults and short-comings, he has had an opportunity of witnessing the many redeeming points of our dispositions, and might have turned them to better account than he has yet done. We hope that he possesses independence of character, and that he has not held us up to ridicule for the unworthy purpose of raising a bitter laugh at our expense, amongst his fine English audience, and thereby gratifying their national vanity and enhancing his own popularity. No, no; being merely intent on keeping the risible muscles of his readers' faces at the grinning point, he can afford to look but on the ridiculous or contemptible side of our social aspect. This is the only profitable point of view for his purpose. It would prove a hazardous speculation to portray our sincere devotion to all that is heroic, generous, and unselfish in our historic national traditions; our persevering exertions wherever success is practicable; our instinctive perception of the true and ideal in art, and our patient endurance of adversity even when every avenue to success seems closed.

But why should we complain of unjust treatment at the hands of a stranger, when we receive the cup of obloquy, brimful, from the hands of a son of the soil?

A popular Irish writer having told all the amusing stories he had heard in society, and told them very well into the bargain, and having had, for some years, experience of the modes of life and state of society in continental countries, determined to write a book thereupon, and to delineate the ordinary fortunes and misfortunes of the middle class of English society when on their continental excursions, and the ridiculous and disagreeable

results of their ignorance, and contempt of every thing that does not square with their own usages.

However, as the sale of the work was to depend on English purses, and as John Bull, or any other Bull, has no particular gratification in seeing himself held up to scorn, the ingenious device was adopted of making the English-speaking family take their of departure from Bruff. We refer to Charles Lever and his *Dodd Family On Their Travels.* They are a hopeful clan; the father shrewd but irascible, and, though meaning well, countenancing the most unprincipled proceedings of his wife, son, and daughter: and, oh ye gods, what a trio! Mary Anne with her sentimentality, utter want of maiden modesty, ready to plight her troth to any one who can ensure her a means of reckless expenditure, and about as desirable a wife in every respect as *Dolly Bull,* in O'Keeffe's *Fontainebleau:* the son a gambler, a spendthrift, and a mere sporting adventurer, a few good points notwithstanding: the mother worthy of the son and daughter, a *Mrs. Malaprop,* without heart, or common sense, or Irish family affection. Having selected this worthy family for his purpose, the author fills every town and hamlet on the continent in which they sojourn, with a populace worthy to receive them. The pseudo nobles give themselves all sorts of grand airs, and in return they are fleeced, and cudgelled, and outwitted, and bedevilled, by their well matched entertainers; and surely if *The Dodd Family* and their continental acquaintance are anything like the average living inhabitants of the banks of the Suir, the Rhine, or Como's lovely lake, the sooner these waters rise and cover the worthless natives the better for the rest of the world. *Martin Chuzzlewit* was fortunate enough to pick one worthy American out of the crew of *Chollops, Divers, Bricks, Pawkinses, Haddocks,* and strong-minded women whom he encountered on that unfortunate continent: unfortunate we write advisedly, as Mr. Dickens was not able to find a second estimable companion to this solitary good man. So in *The Dodd Family* there is a poor, pale-cheeked, quiet, prosy girl, gifted with good nature and common sense; and among the continental group of corrupt judges, and their understrappers, and physicians, and couriers, all wretched "doubles" of the same vile characters in operas, vaudevilles, and dramas of which the world is tired, there stands one amiable German nobleman, but he has nothing to do in the story, and *Caroline Dodd* is of no more use

in preventing mischief than the third speaker in a Greek chorus, or the twelfth *Priest* in *Norma*.

The author wastes keen perception, and wit inexhaustible, on a seeming purpose of gratuitously irritating the feelings of our continental neighbours; and the author of *Martin Chuzzlewit* perverted his great powers to vex the Americans for no earthly good end, that we can discover, and both writers have thus abused their privileges in creating sore feelings, instead of worthily using them for the promotion of kindness and friendship among the kindred nations of Christendom. Now, trusting that without the aid of Diogenes and his farthing rushlight, a few more honest men and virtuous women may be found, by indifferent and unprejudiced writers, in America, Europe, and unfortunate Tipperary, we turn to a more genial theme, the chequered life of the acute, imaginative, good-natured, impressible, and indolent *Jerome Paturot*. At the outset, *Jerome* pays a deserved tribute to the genius of *Malvina*, under whose management, hose, drawers, and flannel waistcoats, float in a rich-colored halo shed around them by her artistic power.

Before her time the concoction of these things remained in a rude and empirical condition. Stupid non-artists cut out formless pieces of stuff, sewed them in a diabolical style, adorned them with fabulous buttons, and named the production a vest: but Malvina called the article out of this chrysalis state, studied the outline of the separate pieces, improved the general disposition of the garment, and brought it into harmony with the human shape. Once it was a white flannel vest, and no more; but she brought into vogue the tinted specimen, and endowed it with hygienic qualities. Every shade had its peculiar virtue; the rose color relieved the lungs, the violet aided the functions of the stomach, the blue came to the aid of the liver, and the yellow stilled the throbbings of the heart; the purchaser invested himself with the curative envelope, and, by the force of faith, was at once half relieved from infirmity. Malvina excelled also in another speciality; she brought the Maillot *(supplementary calves, &c.)* to perfection. The audience who beneath the thousand jets of gas at the Opera, worship the enchanting outline of the perfect human figure, are little aware of the presence of deceitful cotton wadding on those limbs upon whose contours the eye lovingly reposes: they little suspect the stratagems and perfidies of the Maillot, and this is the triumph of the artistes in cotton and silk. Your sculptor takes a shapeless block of marble, and from its chaos creates forms of grace and beauty, but to Malvina you entrusted a broom handle and received a Venus Callipyge back from her plastic hands. She knew, instantaneously to a hair's breadth, the deficiency in each of her subjects, prescribed accordingly, and the scene at the Opera had a model the more. It gives me

pride to reflect on the Venuses, the Antinōuses, and the Gods and Goddesses innumerable, that have soared to the Olympus of the Opera from the back parlor of our Magazine.

With such a gifted mistress at the head of his establishment, *Jerome* must thrive perforce. He mentions the ordinary gain per annum of a first rate Paris shop in his line, as about 150,000 francs (£6,000); and contrasts it with the paltry 15 or 18 hundred francs, the salary of a Magistrate or President of the Tribunal, or that of a brave officer who for thirty years has perilled his life, and impaired his health in the service of his country, and is rewarded with the munificent pension of 1200 francs.

He also instances the salary of the poor Curé, as not exceeding £40, though the destitute of the parish have to be relieved from this treasure; and observes that no revolution can be achieved successfully without the favor of the shopocracy. When their sales are good and the payment of the bills pretty satisfactory, they are of the opposition; but in a contrary case they range on the Government side. If the three days had been prolonged to eight, they would have recalled Charles Dix. Every thing that troubles the horizon of their sign boards is insupportable, and they are implacable to a political opinion that forces them to close their shutters. Let the aspirant to political eminence take this into account, and study to gain the good graces of the Paris shopkeeper; the pavement of the Cité is his, and the flags of Paris compose the empire of France.

In his present position *Paturot* naturally becomes a member of the National Guard, and for punishment of his past sins he forms an intimacy with his *Serjeant Major Oscar*, a painter of the long-haired school who had sent, to the Exposition of Native Artists, a view of an Omelette Garnished with Herbs, all of a rich green tint,—he called it a landscape.

Jerome introduced this erratic vagabond into his family circle, and had good reason afterwards to repent the inconsiderate act. His notions of future comfort had never soared beyond a snug little country freehold where he might amuse his old age with amateur farming, where *Malvina* might have plenty of ducks and hens to feed: it only needed a rapin, (rapparee he might be called) with long hair and a yellow beard to enter his domicile, and these peaceful projects became thin smoke.

It was apropos to the National Guard that he commenced to unmask his batteries. I served my turn as became a conscientious citizen, nothing more; but Oscar did not chose to let me rest in this honorable but obscure condition. He knew my weak points, and excitable temperament, and directed his attack accordingly. One day on coming to our guard room where his wit and originality never failed to secure him an audience, he placed himself directly in front of me, and crossing his arms on his breast, cried out in a well feigned extacy, "Jerome my friend, are you aware that you bear a striking resemblance to Napoleon?" "Go along, Oscar, I want none of your jokes." "Not the ghost of a joke, on the honor of a soldier: the resemblance is astonishing. Gobert of the Circus (*a Paris Gomersal*) could not look the character better. I'm certain that you have the military bump on your cranium." I checked his zeal but he would not give up the point: he felt my head and pretended to discover the warlike protuberance. Furthermore, he made our comrades, some of whom were laughing at the joke, and others taking it seriously, pass their hands over the mare's nest he had found, and convinced us all that I had Napoleon in the nose, the lips, and the whole of the face. "Comrades," said he, "our present Captain is a fishmonger, a shabby opener of oysters: are we to let the honor of the epaulettes rest on a mollusk, an individual of the inferior tribe of Bivalves, when we have the living image of the Emperor standing before us? He who perished at St. Helena will approve our choice, and bless his representative, from the top of the Column. Hurrah for Captain Paturot;" and the others cried in chorus "Hurrah for Captain Paturot."

Oscar being determined that *Paturot* should climb to this eminence, bad enough it turned out for the poor victim in the sequel, lost no opportunity of bringing the *Oysterman* into discredit, and of exalting his friend. The task was not difficult as he was a popular Serjeant, not over strict in discipline, and gifted with powers of ventriloquism and other amusing qualities. He now caricatured the rival captain in every guard room of the company, and endowed his fancy portrait with a nose of such shape and size as deprived him of forty votes. The walls were besides covered with sketches of *Jerome* in all the honors of the little three-cornered hat, the grey surtout, and the hands crossed behind; and the captain in possession beheld his star hourly decline before the rising luminary of his rival.

For two months before the new election, Malvina was more than prodigal in her purchases at the shops of those who had votes or influence, and seemed as if furnishing the house for a siege. Each of these honest citizens seduced five or six others, but Oscar did more in his own person than the whole. He imitated the cock, the ass, the dog, and the cat, with such truth of intonation as stupified

his audience: he sustained a monopolylogue of any number of persons, and gave representations ordinary and extraordinary. An upholsterer who still held out for the captain in office, could not resist a newly invented cancan of Oscar's; a poulterer gave way before an oil painting of two of his children; and a plumassier passed into our ranks after the Rapin had exhausted all the spinach and celery of his palette on his sign-board. The man of fish was almost extinguished, and nothing seemed left for him to do but bewail his destiny, seated on a little heap of oyster shells. Still the victory was not won. For three days before the Election the whole body were regaled by him on testaceous food at discretion, and the issue might have been doubtful, but that the indulgence ended in a very unpleasant fit of indigestion: and now Oscar had no name for the adverse party but the Oyster Faction. On the Election day he multiplied himself, shook some by the hand, and ridiculed others, and seeing as it were the adverse chief sitting gloomily at the bottom of the hall, he exclaimed: "Do you see our Oyster Captain on his bench? Garçon, some lemon juice to relish this Monsieur. Would you like a dozen such to be opened for you, Gentlemen? Voltigueurs, will you have your officers with or without shells? Silence in the ranks; to the left, oysters; form line; by files on the dish, forward; up!"

Our hero is elected captain by a large majority, and conducted to the atelier of *Oscar*, who invests him with a captain's uniform, not omitting a tricorne. This article being set on *Jerome's* head the Rapin bursts out into extacies:—

"Oh, perfect! the very ideal," cried he, adjusting and putting me in every conceivable position. "Bravo, Bravo, don't stir, Oh, 'pon my honor, it's astonishing. Methinks I have my Emperor before me, There will be an emeute in the streets when we appear: the people will be sure that HE has returned at the head of a hundred thousand negroes as he once promised to Las Cases. Jerome, my boy, you are the very image of the thirty-fourth natural son of the Emperor. Let's sally forth, and gladden the souls of the people and Madame Paturot." Will I, nill I, forth we issued to receive the homage of the loyal citizens, by virtue of the imperial felt. As it happened no one took the least notice of us, for the officers of the Etat-Major have so abused the Napoleon head-dress latterly that it has become vulgar if not worse. We found Malvina anxiously waiting the result, but owing to the epaulettes, the coat, sword, and hat, she did not at first recognize me. "Eh my Duck," said I. "Oh Jerome is it you," she cried out in rapture casting herself into my arms. I pressed her against my baldric, and Oscar put in his oar. "Madame Paturot," said he with solemnity, "I borrowed a hozier from you, I return you a Captain: please hand me my change;" and poor Malvina could hardly find words to express her gratitude.

When our spirits became somewhat calmer, and we were sitting cosily with our feet on the fender, Oscar began to give me the first lessons in the art of ruling.

"Jerome," said he, "you have become Captain, but the harder task is to come, namely, to continue Captain. Your voltigueurs are sheep now; they will be tigers by and bye. Let our Oyster man be a caution to you; what was his defect? He was the prince of good fellows, that's all; a mere scaffold for his company to climb by."

"Bah! a mere King of Oysters," said Malvina, with an accent of pity. Oscar continued, "Now let this serve you for a lesson; you possess a likeness to Napoleon; make your profit of it; call your troop Grognards, and pinch their ears as he would; take snuff from your waistcoat pocket, use thundering words, and make the most of your little chapeau. This is your programme, but if you wish really to enjoy a permanent reign, infuse a genuine military spirit into your men; let them feel a pride in the uniform, in the regularity of the line, and in the exact execution of every exercise and evolution. Without this spirit they are only Pekins more or less disguised; but the esprit de corps, *nom de mom*, and the title of model company, *Sarpejeu!*" "Ah! Monsieur Oscar, no swearing," interposed Malvina. "Pardon, excuse me, Madame Paturot, but it is in the role. The more Jerome swears like a sacripant, the greater will be his power; and let me advise him to fatigue his troop with exercises; they will adore him for it. Let him take his sentinels by surprise from time to time, and it will be so much the better. Napoleon often did it; let his men say when they see him about to inspect their accoutrements, 'here is old Ironsides, look sharp;' and, lo! he is Captain for ever and a day."

It is not every one that is privileged to attend to two important affairs, successfully, at the same time. *Jerome* wishing to produce a model company, must needs study to become a model commander: he attends the reviews and manœuvres of the troops of the line, and becomes a first-rate tactician. The business of the shop is left entirely to *Malvina*, and at first there was no great harm done, except that the insidious *Oscar* set about making himself at home, in the master's absence, and if *Malvina* were not a pattern of fidelity, *Jerome* would rue his newly acquired knowledge. When *Oscar* was not jesting with the inmates of the magazine, and striving to propitiate the good graces of its mistress, he was employed adorning his painting room with beds of garden herbs, under the name and pretence of views in the environs of Rome. They all bore a striking resemblance to each other: some might perhaps have a deeper tint of green than the rest, and that was all that could be said. Our new captain, by following *Oscar's* plan succeeded in obtaining great influence over his men, and a grand dinner which he gave them confirmed his popularity.

It was a feast of the days of Homer: the Hotel-keeper did not

limit us to cold veal; he was prodigal of mutton, and nectar at ten sous the bottle, and this was the more generous as he really had to do with customers destitute of a conscience. Abusing the privilege of "*bread and wine at discretion*," our master-cook swallowed two middle-sized loaves, and eight pints of liquor: the plumassier followed close on his heels, and there seemed to be a general, deep-laid design on the larder of the Hotel. In return for the hospitality they received, the ungrateful gluttons inflicted a famine on the establishment; you would have said that they had not broken fast for twenty hours; really they exhibited on this occasion teeth and claws not inferior to those of the cannibals of the Pacific Ocean. I never saw such eating in my life, and but that the officers made some amends by their moderation, the poor entertainer would have been forced to cry quarter.

After the songs and toasts in which Madame Paturot was not neglected by our tradesmen, I was called on for a speech. I was never strong in the article of impromptu speaking: so when I found myself surrounded by sixty eager heads, the centre as it were of the rays of 120 flashing eyes, I felt a giddiness. The individuals after all were common-place enough, but still I was awed. By good luck I recalled Oscar's hints; so taking a Napoleonish pose, and throwing an eagle glance over the company, I began in a pompous tone, "Comrades, I have reason to be pleased with you: nevertheless the Company is not yet what it must be, *nom de nom*. To-morrow will see the commencement of a reform, and it will not be my fault, *nom de nom*, if discipline be not felt. A certain Great Captain would say but this, *nom de nom*, and I will follow the great example. One word more: consider that the company of De Puget contemplate you from the summits of their shakos." This address, pithy, short, and rapid, inflamed my Grognards: forgetting all reserve they hoisted me on their shoulders, and bore me off in triumph.

Before my election, the company presented a deplorable assemblage of incoherent pantaloons, rubbishy shakos, irregular breast-plates, nothing that smacked of discipline, nothing warlike in the collective grouping. The fire-arms were of twenty different lengths; some had flints, others percussion caps; men came in capote or in frock, with or without bandoliers, in varnished boots or shoes of color. The arrangement in line fell out as it pleased the fates, the dwarf took place beside the giant, and the cook and the plumassier allowed their abdominal developements to project half a yard beyond those of their neighbours.

I did not take matters with too high a hand at first; I merely showed that no irregularity had escaped my eagle glance, and a few words that fell from me *a l'empereur* caused my awkward squad to cock their ears. "Martin," said I to one, "that pantaloons of yours looks as if it were made in the Banlieue; will you do me the favor to shew one of a more military cut next parade. Patouillet, your cartouche box resembles a letter-carrier's bag mightily, will you make a change, my boy, against next time." A few jibes of this kind distributed here and there provoked roars of laughter; those at whose expense they

were made, took the hint, and a surprising improvement was the result.

Jerome's ambition being to produce a Model Company equa to De Puget's, or any other whom he had often seen run after by half Paris, he resolved, with *Oscar's* assistance, to invent a uniform. With his usual penchant for verdure the painter would have tacked green facings to the blue uniform; this, however, the Captain would not submit to, so he was obliged to fall back on yellow; however, to console his wounded feelings, he gave a green face to the figure which he drew for a model. The pantaloons had a yellow band, the shako a brass plate, and yellow tassel; the epaulettes were yellow, the buttons, ditto; and *Oscar*, if he but had his wish, would have introduced a yellow belt; however, this would have been too close a resemblance to the Gens d' Armes, and was scouted accordingly. A few rules were written out, one of which forbade the use of spectacles on duty, and another recommended moderation at the table to those whose fronts were not fashioned from the Apollo Belvidere. All were at last in the appointed trim, and were proceeding to the Tuilleries to be inspected by Marshal Lobau. As they marched through the streets their chief was rather dismayed at the effect of so many yellow spots and lines in his model troop. From the moment Lobau's eye fell on the tasteless ensemble, a frown took possession of his face; he said nothing, however, but tried them with some simple evolutions.

They were far from strong in the matter of manœuvres as yet, so they got in each other's way; the tail was searching for the head, and the line was formed with difficulty. These accidents did not improve the temper of the old warrior, and at a critical moment his wrath exploded. The entire second rank, at a change of front, scattered into empty space, and presented a frightful mass of confusion; the Marshal could contain himself no more, but shouted in a voice of thunder—"Porter, shut the gates of the Carousel, or these yellow-hammers will fly out."

To prevent such another humiliation, *Paturot* takes his troop every day for a month to the Plain of St. Denis. There they formed and fired, in line, in column, and in hollow square, and a wonderful improvement was apparent, until a little accident cooled their zeal. *Jerome*, like a prudent officer, kept out of the range of the muskets when the order to fire was given, but

his lieutenant, not observing this precaution, was transfixed, sideways, with a ramrod which had been inadvertently left in the barrel. As the missile merely broached a part of his system, called honorable by courtesy, he got off with four months' confinement to bed, but the Plain of St. Denis was forsaken from the date of that unlucky accident.

It is no easy matter to be a good shopkeeper, and an efficient captain of the National Guard, at once, and the hosiery trade would have suffered, as was stated above, but for the unremitting attention of *Jerome's* industrious helpmate; but even her evil star was now culminating in the shape of a magnificent *Russian Princess, Flibustofskoi* by name. She was a patroness of *Oscar's* omelet and celery landscapes, and he was ready to swear that she possessed, in her own right, 150 square versts of land, by the banks of the Don, on which vegetated 10,000 serfs, and 322,000 head of cattle, and exhaustless mines of gold were hers in the chains of the Ural. She contented herself at first with making cash purchases, and gossiping interminably in the shop, but after a while she secured *Malvina*, and carried her off, nolens volens, to the Italian opera. *Malvina* could not attend the great *Princess* on such occasions in ordinary costume. Silks, jewels, feathers, and other necessaries, had to be procured at once; and she and her husband soon found themselves whirling in the vortex of extravagance and dissipation, visiting at the hotel of the *Princess* and wherever her influence was sufficient to open the saloons. They strove, by richness of dress and display, to save themselves from being considered as an ouvrier and grisette in their Sunday clothes; the counter was abandoned, and the care of the magazine fell to the chief clerk, who, of course, received a large additional salary.

The life of a man or woman of the world is incompatible with any other occupation. These fashionable ladies who are considered indolent by their acquaintance are obliged to exert an unparalleled activity and surprising powers of imagination, to perform properly the role they have voluntarily taken up. New fashions must be invented, rivalries of the toilette anticipated and foiled; triumphs gained and defeat avoided; an ever open eye kept on the modistes so prone to betray; on the espionage of the soubrettes, on the thousand little ruses employed by the reigning beauties against each other; in fine, they must understand thoroughly the stratagems of coquetry, not less complicated than the evolutions of an army. And yet the vulgar call these beings so exercised, "indolent women;" they are maligned sadly; of all chains those which we forge for our own wearing are the heaviest and hardest to be thrown off. * * * * *

Henceforth Malvina had scarcely time to give audience to the mantua-maker, the bonnet-maker, the jeweller, the milliner, and the shoemaker; one part of the day was occupied in drives, and nearly all the night in attendance at balls and parties. I was soon overpowered; not so my wife. The poets may talk of woman as the weaker sex instead of the sex of iron,—who ever heard a woman cry quarter during the fatigues of a rout; and after they have been agitated, and knocked about, and wearied for ten consecutive hours, are they not as ready as ever to commence the same life next day? Weak sex indeed!

About this time the *Princess* invented a grand occupation for her dormant energies; she announced the overflowing of the Borysthenes; described the men and women climbing trees, and children carried off in their cradles, and with the concurrence of *Malvina* and others, opened a lottery and bazaar in which several articles manufactured, as was said, by the greatest ladies of Russia were sold at bazaar prices. *Malvina* disposed of, to an English Lord, a pair of suspenders for 150 francs—but what a pair! made by no meaner fingers than those of the Grand Duchess Olga!

The DROWNED of the Borysthenes became thus the private property and glory of *Princess Flibustofskoi* and her clique; Polish refugees and persecuted Italians, deprived of all but their stilettos, were obliged to vail their dishonored heads in presence of the new Humbug.

A long-haired artist being secured, promised, at 15 francs a head, to give a Mortuary Mass and the combat of the Horatii and Curiatii set to music, for the benefit of the drowned serfs; and, if required, he and his 672 performers would restore the Hymn of the Creation, lost since the era of the Deluge.

The Music Hall is filled, and the great man seated on his lofty stool; he casts an encouraging glance on his assistants, and loses not a particle of his courage or coolness, notwithstanding that his eyes, nose, and mouth are persecuted by his long matted hair at every shake of his head. Wicked, tangled hair, evidently sold over to the enemy!

But silence! the Festival has commenced. The first bray of the instruments would have overturned one of the old cities of Judea, but happily the hall was solidly built, and our lives were saved at the expense of our sense of hearing. The funeral Mass, in twelve parts, went off without accident; but it was in the combat of the Horatii that the power of music, to express every thing under the sun, was nobly displayed. Of the wonderful instances of this property of melody here is one. A musician going into a restaurant and

wishing for a fricandeau garnished with sorel, simply drew a flageolet from his pocket, and began to modulate a few bars, thus, "*Ta deri dera! ta deri dera!*" The intelligent waiter was not at a loss for a moment, but produced the refreshment required in the flourishing of a napkin, and in this way the power of genius seals the mouths of detractors.

And now the chief looks abroad from his uneasy throne with as much calmness as if the baleful mass of flowing hair was not bent on impeding his efforts. In proportion as he marked the measure with his ruling wand, the evil purposed, snaky foe wandered over his forehead and his eyes,—drowned him, blinded him, bedevilled him: no matter, the combat began. *Tehinn! Baoum! la la la la la la!*

This, as every novice knows, presented the three warriors requesting the paternal benediction, right foot forward, and the three sword hilts on a line with the eye. A triolet now indicated the lament of the female assistants, but a blast of the organ, the firmness of the Roman Father: and then *Tra la ra la! la la ra! la ra la! pschh!* the champions are face to face, and lo! a minor sixth announces the death of one Knight, and the weak condition of another. The music distinctly personated the three Curiatii as yet fresh and unwounded; but in a little solo on the violin, the third Roman warrior quietly lets out the stratagem which is to save himself and Rome; *Tideri! tideri-deri! la la la la! boum!* At this point one only Roman Knight confronts the three foes; the trombones show the peril of Rome, and the opheicleides celebrate the triumph of the Sabines, not however, without an under murmer of the violoncellos seeming to say, "*He laughs the best who laughs the last.*"

The surviving hero developes his plot by the aid of the hautboys and the flutes, and any one may see by the *andante sostenuto* movement, that the idea is ripening, and that it is foolish to chaunt the victory before the battle is won: *Ti ta ra ta ta ta! ti ta ra ta ta ta ta!*

The stratagem is taking effect, both sides are deceived; the Sabines blow their joy on the keyed bugles, and the bassoons groan out the rage of the Romans; but all at once, at a blast of the clarionets, and a *da capo* unlooked for, the chance turns, and a Sabine falls; the drums beat, the trumpets flourish, and the fifes send forth the wailing shrieks of his family.

Hark to the fugue of the violins! a second Curiatius bites the dust; a few thrills of the flageolet compliment the Roman on his successful ruse; and nought is left for him now but to immolate the third victim to a volley of altos: general chorus of Romans, and general clang of instruments, and a cannon is fired in anticipation of the invention of gunpowder.

The hero of the evening is still on his throne, but overpowered by his emotions, and the persecution of his rebel locks; the melomaniacs of the salle rush forward to bear him in triumph to his chariot, and draw him home; but like a modest genius he steps out through a private door, assumes his mantle and galoshes, and goes to write an article on the piece with the same hand that had marked the score, and wielded the ruling baton: such are our modern great men, and so ended the Concert for the *Drowned* of the Borysthenes.

Jerome and his wife being now regularly launched on the sea of fashionable life, the gentleman's chief care is about the varnish of his boots, and the lady's to dip her arm into the family chest in order to keep pace with her great acquaintance. In one of their earliest evenings abroad, *Jerome* remarked a fine dark-favored Cavalier, with a moustache and beard of the neatest pattern, advancing through the crowd of ladies and gentlemen, all showing the most marked interest in obtaining the least notice from him; however, he took very little heed of their empressement, but calmly walked to the piano and deposited a roll of paper on it.

"Oh oh!" said I to myself, "this must be a prince of the blood at least;" and leaning towards an acquaintance, I begged him to enlighten me on the subject. "That," said he, "is the celebrated Trifolato, the King of the Plaintive Ballad: you'll hear him give such a specimen of Schubert just now as will cause the ladies' tears to flow." In effect the great artist pushed his accompanying slave to the music-stool, placed one hand on the Piano, so as to give himself an Antinõus pose of a melancholy order, passed his hand four times through his matted locks, gave an amorous roll of his eyes for the benefit of the hundred and forty-three ladies present, and then, to a sweet plaintive measure, he warbled out,

"*Tourment d'amour avait charmé ma vie,*
Tourment d'amour va bientôt la finir.".

The most profound silence reigned in the saloon, and the gossip ceased as by magic. The voice possessed a perfect balance, and every note issued forth with admirable, distinct intonation. Acclamations, extasy and tears rewarded the artist who seemed little affected or flattered, but after three or four romances, rolled up his paper, and making a professional bow, vanished from the glittering scene. "Bravo Trifolato," was now cried out from all parts of the vast salon. "What modesty!" said I to my neighbour. "Oh," said he, "he must be at the Duchess of Mirasol's at 10 o'clock to gain another fifty crowns: with a brisk movement he can make four salons in the evening; total 600 francs." "Peste!" said I, "these are what you may call notes of value." Scarce had I spoken when another great man glided through the company. He was as well garnished with the bushy ornaments of the face as his predecessor: he was equally well furnished with a roll: he received the same attention and seemed to care as little about it as the other. "At any rate," said I, "this is a Duke and Peer." "It is the illustrious Muscardini," said my neighbour "the Prince of the Comic Ballad. You have listened to *Jean qui Pleure*; you will now hear *Jean qui Rit*: he possesses a peculiar grunt which makes the grandest ladies compromise their gentility by the most unmistakeably vulgar laughter. Muscardini approached the piano just as Trifolato did, assumed the same attitude, and indulged in the same amorous regards to the ladies, but at the last bar of the ritournelle he decomposed his features in a surprising mode, and burst out—

"*There we laughed, there we drank!*" et cetera. It was a Norman ballad, wanting for nothing, neither accent nor local spirit: you would have thought you were listening to a market gardener of the environs of Falaise. His success was tremendous; he did not stop but went on from burlesque to burlesque, and at a specimen of Ventriloquism the applause was at its height; but the evening's task being now finished, the illustrious Muscardini quickly disappeared.

I supposed that I should see no more of these great artists, but I was deceived: wherever we passed an evening abroad among our high connexions, there they were, and the performances did not vary in one note or one grimace from the first specimen: as if having got the exercise by rote, they deemed it a case of conscience not to make the slightest variation. In about a month I was so familiarized, that the moment Trifolato began to roll his languishing eyes, or Muscardini to unpack his mask, I made my way to the buffet or whist table.

One of the first thorns planted in *Jerome's* side came appropriately from a next door neighbour, a dealer in herbs, who envied him his success in trade. The demon of spite took such a hold on this man's heart that his days were spent standing at his door, and watching the customers as they entered and quitted the next shop. He could tell every thing connected with the affairs of the house, and the movements of the inmates, as well as if he sat at their hearth, invisible. A nice awning, invented by *Malvina* for the front of the shop, crowned his misery; but he contrived to damage the fringes by festoons of thorny plants, which he strung on his own façade for that laudable purpose. His malice finally exploded in a summons served on *Jerome* to answer for loss of custom sustained by him, owing to a projection in front of the house of said *Jerome,* impeding the view of purchasers, and whereby such and such damages did accrue, &c. &c. &c. *Jerome,* not willing to have his name mentioned in connexion with a paltry affair of the kind, called on his opponent's advocate, and stated his readiness to make any reasonable compensation; and the man of law seemed to think that his client ought to accede to these reasonable offers, and promised to use his influence towards that good end.

This was all moonshine. *Jerome,* in a day or two, receives a note from the advocate, mentioning the implacability of his client, (his own efforts notwithstanding) and the case comes to a hearing; the plaintiff being one of those bilious creatures who enjoy a law process by way of relaxation, and special pleading as a healthy regimen. These folk use a run to the law courts after breakfast, as something essential to good digestion, and

if there is no adverse party to keep their litigant functions in health, they fall into a species of hypochondria.

The opposite counsel opened his case modestly enough, and used a moderate tone at first, merely shewing the necessity of supporting the weak against the oppressions of the strong. He observed that it was the proud boast of the magistracy, that in its presence all ranks were equal; and beginning at an early period in history, he showed this to be a general rule with that body, whether they were entitled archons, senators, mussulman cadis, or christian justices of the peace; and that no man, not even a dealer in herbs, should be debarred from this inalienable right of just protection. "Besides," as he observed, "the profession of herborist though humble is honorable; it remounts to the era of Pliny the Elder, who lost his life in gathering a rhododendron in the crater of Vesuvius; Linnæus was a herbalist, so was the great Averröes, and so were two Patriots who perished at the barricades of July." Hitherto all was within correct bounds; the advocate was strictly performing his devoir to his client; little did I foresee the hail storm he was preparing to rattle on my devoted head. At a given moment this man, hitherto so polite and self restrained, turned the full wrath of an inflamed countenance on me, and thus gave vent to the fury within.

"And who are you who thus oppress us? you to whom we may say as an erewhile philosopher once said to an Asiatic (sic) prince, 'Come from between us and the sun.'

"Yes! who are you that dare to take from the poor man the bread earned by the sweat of his herbs? Who are you, I say? You are a Paturot; don't be frightened; I'll spare you; expect every thing from my moderation and indulgence. I'll not insinuate what means you used to secure a command in the National Guard, nor the donbtful sort of life, to say no worse, which you led in your youth; nor the shifts you have resorted to in your commercial speculations. No, no, I'll handle you tenderly, Paturot; I will; even you who show so little regard to the feelings of others. I will omit the disgrace cast on your peaceful neighbourhood by the irregularity of your household; the loss of business to your honest neighbours, from the equipages blocking up the street; the loss of their natural rest from the late noisy returns of yourself and family. Of all this, which should be in my brief, I will not say a word. Yet now, Monsieur, owing to the disorderly conduct of you and yours, the borage suffers, the scammony laments, the foxglove loses its virtue, the violet fades, the salop and the sago are hastening to ruin irreparable. Four thousand francs for this, Monsieur Paturot; but it is not a centime for each species of plant. Monsieur Paturot, Monsieur Paturot," he cried out, his eyes glowing with rage, "allow me to set you in presence of your conscience, if you have got such a thing as a conscience about you, and if it is not, as Horace describes it, guarded with *robur et æs triplex*, that is to say, a deceitful triple cotton pad,—let me urge you to repair to the whole tribe of simples, the wrongs you have done them, the poor beneficent simples, whose good qualities you must have felt in the form of unctuous liniments, and health-imparting emulsions."

I am a pacific and patient man; I can restrain my passion, or fight if need be; but I would at this moment have planted, with the greatest satisfaction, a downright buffet on the ear of this Histrion, who was amusing the court at my expense. This proceeding is the rule, not the exception among his profession, as I have since found on different occasions; and if the privileges of the Bar cannot be maintained but by indulgence in scurrility and invective, fit only for the region of the fish market, the world would be nothing the worse for their abolition.

The man of herbs took nothing but a fresh dose of rage by his motion. *Jerome* still holds out the olive branch, but to no purpose, so he thinks it better to remove from the neighbourhood; and taking a house in a more fashionable quarter, he is introduced to a long-haired architect, who will not allow him to be content with anything less than a grand gothic building within and without, and will no more admit a line, or curve, or proportion of the classic or Palladian, or Byzantine styles, than the great Mr. Ruskin himself. He was not born to be a slave of the Doric or Corinthian, not he! he looked on the Madeleine as a monstrous coffin, ornamented in bad taste, on the Pantheon as a Savoy biscuit, and on the façade of the Louvre as a row of nice little niches for Marionettes.

He proposes to *Jerome's* choice, either the pointed gothic, with its trefoil heads, its arch of the purest era, its slender octagonal tourelles, and its roses of the most correct epoch; or the later styles in which the prismatic takes precedence of the rounded forms, where flame-points ornament the compartments, and the profusion of detail runs to excess.

Jerome being reasonably ignorant in the matter, hesitates as to a choice, and the artist, judging from his backwardness that he prefers some other style, pours out a full measure of abuse on the Roman form with its arcades resting on semicircles, on horse shoes, or on the handles of baskets, and where the doors though semicircular are charged with zig zags, rope twists, or stars. Then the Lombard style came in for a portion of his wrath, and he finally gave full vent to his contempt for Acanthus leaves, fluted columns, pilasters and tympanums.

Would he debase his Indian ink to the depicting of such exploded follies? not he; they might be well enough for the tribe of masons and plaisterers, and other brainless plodders. Finding that *Jerome's* hesitation arose from igno-

rance rather than a superstitious preference for any style of architecture in particular, he cools and explains his plan. If the Government would allow, he was prepared to have a projecting tower, but at all events there should be loop-holes, whence pellets might be blown out of sarbacanes at the little thieves or gamins who might attempt to pilfer or cause any annoyance.

To the respectable heads of our Monster Houses we submit our moyen age architect's idea of the proper decorations of the interior of a "soft goods" emporium.

Imprimis, and absolutely necessary, a waiting-hall, where you deposit your surcoat and your halberd, the walls decorated with trophies of arms, stags' antlers, &c.: then the refectory and the great kitchen, with drinking glasses, dead game, &c., sculptured in the wainscot, and finally the great hall, covered with arras tapestry, and Venetian mirrors. Stained glass windows should not be forgotten, nor should the happy proprietor fail to procure some of the pottery work of Bernard de Pallissy, and a few cups, shields, and dishes executed by Benvenuto Cellini. Then the *Bahut*, or old family chest, must on no account be omitted; a mansion, moyen age, without this receptacle for the family linen, plate, records, &c., would be a vile piece of absurdity; and, indeed, our poor hero shewed no lack of folly just then in giving way to such a project, forced on him by the spite of his neighbour, by *Oscar's* sympathy with the views of the confounded Architect, and by *Malvina's* taste for display.

To help the flight of his money, his great patroness, the *Princess Flibustofskoi* has incurred the displeasure of the Czar by shewing such a penchant for a mere French Bourgeois; and laid his knavish sheers to the backs of her 322,000 harmless sheep, sold the wool in the shabbiest possible style, and confiscated the proceeds to his own vile uses. The *Princess* thus robbed of her property, is found in tears in her boudoir, while the Calmuc appointed by Nicholas to watch all her proceedings, *Count Tapanowitch*, glares on her friend as he is entering to comfort her in her affliction. The *Princess's* revenue being now a case of lost mutton, our gallant hosier opens his purse, but she will only accept a temporary loan. So between this speculation, and his patronage of high mediæval art, and his military occupations, and new style of life, and neglect of his shop,

the pile of money in his chest begins to decrease at a very alarming rate; and what was worse, his attention towards the wife of his bosom, owing to his great *Russian Princess*, ceased to be that of a model husband.

He is appointed Chief of Battalion about this time, is brought under the notice of the Court, becomes outrageously loyal, and is urged by a friend in the Ministry to stand as candidate for a mountainous district in Auvergne, where a few of his family have possessions: here is a speciment of his political zeal.

I could not keep within ordinary measures in politics. When I heard of the conduct of any of the factions of the day, my eyes darted flames: when the reigning dynasty was in question, they were at once suffused with tears. I was cited as the most devoted Chief of Battalion in the service, and various saloons resounded to my denunciations of the Press. "What is it that cherishes in the bosom of society that state of trouble and confusion which eats away its vitals? the Press. What prevents us from taking the Rhine as the natural boundary of our country? the Press: yes, the Press, by ever keeping the fears of the absolute sovereigns awake. What occasions the annual overflow of our streams and rivers? the Press, by throwing cold water on the care of our material interests, and discouraging the making of dykes. Who is the sworn enemy of our national industry? the Press, by encouraging the introduction of foreign manufactures." This was the theme on which I dilated, and in my happy moments I even soared into the region of eloquence thus:—

"We speak of the ten plagues of Egypt. France is cursed with one only, that of journalism. But for the newspapers our beautiful land would not be afflicted with poverty, colics, emeutes, or diseases of the lungs. The first three pages of a journal are the cause of our social troubles; the fourth is the origin of our bodily ills: Revolutions are recommended for one, and quack remedies for the other; empiricism reigns over all, and our social evils are as far from being healed, as our corns from being effectually extracted."

Tirades of this class having endeared our hero to the ruling powers, he receives encouragement, and in order to qualify himself for a seat, he purchases the old castle of Valombrosa with its few depending acres, and is now, in consequence, *Paturot de Valombrosa*. The inhabitants of this district having been represented for some years by a member in the opposition, very little ministerial sunshine has warmed its rocks or valleys; but as it is now to be given (if *Jerome* succeeds) to a friend of Government, great hopes are held out of public works to be executed, bureaus for the sale of snuff to be established, churches and steeples to be repaired; and the member in petto carries down altar pieces, statues, scientific treatises,

patent medicines, surgical instruments, patterns of sheep-folds, Ruskinian and otherwise, and (by Oscar's advice) models of life boats, which were considered particularly useful and desirable in this hilly canton, 6000 feet at least, above high water mark. He is urgent with the various officers of the administration, for some present solid gifts, but finds that the places and benefices applied for are already disposed of; however, he obtains promises of four bridges at certain points, six others wherever he likes to place them, three roads, one canal, two railroads, three public monuments, a regiment of horse, a college, a few mines, one bishop, fifteen steeples, four churches, and befitting vestments and utensils for the clergy. Furthermore, he takes down, at *Oscar's* instance, four waggons filled with delicacies for the table, solid and fluid; and *Malvina* provides herself with lures for the voters' wives and daughters, among which, articles of feminine wear, of lively primitive colors, are not forgotten.

The chateau of Valombrosa was situated at a short distance from the chief town, in one of the undulations formed in the mountain chain; a semi-circular grassy slope spread in front of the house, and a sweep of old sombre chestnut trees served at once for a boundary and a shelter from the winds. The depth of color, and richness of the verdure at these heights is well known, and never had Oscar found, even on his own pallette, tones of green of such strength. The foliage preserves through the greater part of the year a metallic splendor, and in beholding it standing out from the clear transparent sky, you would fancy yourself gazing on some enchantingly painted scene at the theatre. To the forest succeeded the meadows, where the verdant carpet spread down the slopes, till the herbage at last touched the cold wavelets of the stream. My demesne thus consisted of wood and pasture land; here and there were patches of wheat, rye, and barley; and the cattle grazing at will, added life to the landscape, without detracting from its character of peaceful quietude.

All my family were in raptures at the sight of this picturesque locality. Having never been out of the city in our lives, our lungs, for the first time, inhaled the pure air peculiar to elevated regions, and we seemed to breathe more freely. Malvina fancied herself bathing in the healthful limpid atmosphere; throwing aside her bonnet, she ran about in the woods and carolled like the birds on the trees around her; and the children rolled along on the meadows, or frisked by the sides of the lambs as playful as themselves. I had come to conduct a political intrigue, but began with finding myself one of the personages of a pastoral. To confess the truth, the aspect of the sweet face of nature on every side filled my heart with a new train of thoughts. These lofty heights crowned with firs, these chains of mountains melting like vapours into the horizon, and

losing themselves in the misty, far off background, seemed a silent reproach to the miserable, feverish, petty turmoils of men; and the little valley full of sweet scents, and pleasing sounds drew my thoughts off from their ambitious workings, and disposed them to domestic, rural enjoyment. For three days I forgot my political existence, and led the life of a farmer. I inspected my woods and fields, and went from farm to farm, from meadow to meadow. The chateau, lately repaired, was comfortable; and already I planned changes and additions, and enjoyed the delight of my new power and seignory.

Our candidate secures a majority among the townspeople, and the Government officials, but the rustic population hold out pretty well for the independent members. Accompanied by a few influential persons, he visits *Gerard*, an old farmer, who can command ten or twelve votes at least. He finds him at dinner, but to all the eloquent appeals made to him on every hand, he can only afford to grunt out, "Aye; to be sure, indeed," he is so occupied with a troublesome knuckle bone of veal. *Oscar* coming to the rescue, drinks to the health of the Emperor, and is glad to see a sign of awakening interest on his meaningless face. He plies him on this point, and whispers that *Paturot* was Aide de-Camp to Napoleon, and is all covered with wounds received in defending his life, and has money without end, bequeathed to him for the behoof of those who still continue faithful to the memory of the Hero of Austerlitz. On the morning of the Election day, all the country voters are brought in hired vehicles to the chateau, and feasted like the sons of kings. *Oscar* does his best to fuddle his old intended victim, but he is like to lose his own balance instead. He sets about to bray, to hinny, to crow, to miaow, to bark, to croak; he makes his voice issue from the ceiling, the chimney, and from under the chair of *Father Gerard*, and enchants his rustic audience. All being well primed are then led to the hall of scrutiny, and though the astute peasant *Gerard* and his ten friends go over to the enemy's camp, the day remains with our hero, and *Oscar* is in extacies though feeling considerable chagrin at having caught such a tartar as *Father Gerard*. All are brought back to the castle, the defaulters excepted, and another assault of eight hours is made on the provisions, and at dawn next day the sleeping heroes are picked from under the tables, carefully ticketed and labelled, and placed in carts for transportation to their respective homes. It took three days to remove the traces left by these Children of Nature (so named by the poetic *Oscar*,) in and about the cha-

teau. *Paturot* has no objection to their being called by this romantic name, but is content that their great mother should, for the future, be at the trouble of providing their food and drink.

Jerome, now a full fledged Deputy, feels his consequence augmented tremendously. He, a simple perfectioner of maillots for the Goddesses of the Opera, and at the same time a *decoré*, a deputy, a favorite of a great *Russian Princess*, and a chef de Bataillon. Oh, but the responsibility; to have the eyes of Europe fixed on him, to find his slightest word or gesture criticised, to be brought over the coals by France, to be hissed by Europe entire; what a contingency, and what a course of study must now be commenced!

In divers saloons of Paris I often heard mention of a certain *Eastern Question* which seemed to occupy the thoughts of all men; and here was I now called on to solve this confounded enigma: the destiny of the East might perhaps depend on my voice. I owe it to myself to say that I had not the slightest personal repugnance to the East; I was, on the contrary, well disposed in its favor. The East is a region worthy of our respect: from it we get Adrianople wool; we are indebted to it both for the sun's light and for Cashmere shawls; I would have been consequently sorry to offer it any offence; rather let me rest on good and amicable terms with it. Notwithstanding these good dispositions, I am still so much in the dark on the subject, that I often ask myself in a fright, if I have entertained towards this cardinal point all the good dispositions it merits: if I have not unthinkingly trespassed on its privileges; if I have not made it a relentless enemy. May THE EAST pardon me these involuntary offences: we were made to understand each other; unhappily I never could get through my part, and I can now only offer my humble apologies.

At the proper time and place the new Deputy, with his right hand raised, pronounces, the sacramental, "Je le jure," in the most imposing, solemn, and impressive manner possible. He thinks it made a certain impression on the King, at all events it brought a smile on the faces of the Princes. One of the regular ministerial whippers-in takes him under his protection to teach him the duties devolving on every well wisher to law and order, the chief being not to dare to exercise his judgment on the merits of a question, but to go for the ministerial vote, rostris, et unguibus; this, or becoming a brawling opponent of Government for the purpose of being bought off, seeming to be the only two courses to be adopted by any man of sense. *Jerome de Valombrosa* now finds that his dignity is to be separated from the ease which accompanies it, in the Latin motto. Letters from his

arrondisement pour on him like hail; every civil functionary wishes for the next higher post; all would be glad of exemption from taxes, and from the conscription of their sons, as well as the gift of a decent pension for their own old age: and one person having invented an infallible cure for fever must get a salary from Government. A contrabandist wishes to be recompensed for all the persecution inflicted on him by the King's officers in the alleged discharge of their duties, and be allowed interest beside. In short *Jerome* has become the man of business for the whole district, the advocate of desperate cases, and the doctor of incurable diseases. A letter received from a certain notary, who had helped to secure his election, is a fair specimen of the correspondence.

Mon cher Député—Allow one of your best wishers to recal himself to your recollection. You know what interest he takes in every thing that concerns you. We often speak of you here, but the arrondisement must be kept well breathed, otherwise it will slip through your fingers: by good luck we are on the spot to watch your interests I have a little request or so to make, merely as a token of the affection I bear to you. First of all you will have to get the registery director dismissed. He looks too close at matters connected with my fees; he is injuring the Government as well as interfering with my lawful perquisites; and his successor when he knows what lost him his place, will maintain a good understanding with a certain devoted friend of yours. I expect that the President of the court may get a lesson also. He taxes our costs too rigidly, and allows not a sous beyond the mere legal dues: it is an intolerable piece of shabbiness. Promote him if you chose, but send him hence at all events: my brother the judge will sacrifice himself if necessary, and accept the presidency. You recollect a cousin of my wife who managed the conveying of the voters at our Election: he wishes to be a tax collector, it is the very least we can do for him. This is the time to settle our children. I intend to send Alfred, the eldest, to Paris to gain admission to the Polytechnic by your kind influence. You know what young people are when away from the paternal eye, and my wife would never consent to be separated from her Benjamin, only for knowing that he will find second parents in Madame Paturot and yourself; indeed if you can allow him a little chamber any where under your own roof, his mother will have a care the less. My younger son Jules will be satisfied with a Bourse in one of the colleges: he will do you honor some day, being affectionate, retiring and clever. Alfred is, on the contrary, all fire and life, you'll be delighted with him; his lively disposition comes to him from the mother's side. At your leisure you may think of our nephew Antoine and our *Aunt Croquet;* one is ready for his bureau de tabac, and the other for her post office. They invoke blessings on your head every hour; you are their patron, their providence; your name is constantly in

their mouths; it is impossible that you should forget such grateful creatures who never cease to think on you.

As for myself, *mon cher député*, I only ask for your continued friendship. I am here standing in the breach to defend you against a world in arms. No self-interest in this I am sure. You are the man of the country, you are the country itself in fact; this is the cause of my devotion. All true Frenchmen have the same device, 'Our country before everything.'

Agreez, &c. &c. &c.

P.S. Mme. B. requests to be kindly remembered to Mme. Paturot, whose abode in our mountains has left such agreeable souvenirs. Winter approaches. My wife has become so Parisian in her tastes since Mme. Paturot spoiled her, that she cannot endure the milliner and dressmaker of our town. If your lady can find leisure to send down two bonnets, two gowns, the one merino, the other silk, two pair of buskins, and twelve pair of gloves, assorted, she will bind Mme. B. to her for ever. By the earliest opportunity, I will forward the necessary measures, and patterns; but as to the choice of material, color, &c., my little woman trusts implicitly to the taste of Mme. Paturot; from her decision there shall be no appeal. Excuse me, dear sir, for taking up your valuable time with matters so very unparliamentary.

P.S. No. 2. I open my letter to give you a little more trouble. At the period of your sojourn here I took notice that you wore varnished boots of the very finest style. That sort of article is unknown in our latitude, where foxy-looking leather, and polish of the egg-cum-lampblack genus still holds sway. I intend to introduce the new system: my brilliant boots will inspire my clients with awe unfelt before. Have the goodness to send me two pair of the size and make of the pattern now forwarded; they shall be called by your name, as nothing that can continue your popularity must be omitted. Please bear in mind that I am high in the instep.

P.S. No. 3. I open once more to remind you that your constituents expect to be shortly gratified by the perusal of your powerful maiden speech. A vous. derechef. B.

Another of the amenities of *Paturot's* parliamentary life was the early race, with one latchet of the shoe (metaphorically) untied, like a Roman client of the days of Cicero, from one ministerial bureau to another, to beg for places, or privileges, or situations, for his country applicants; and it was curious that in almost every instance, some one had got the privilege or place the day before, or the week just past; but by way of comfort, the deputy would be punctually informed of the next vacancy

Till these vacancies should occur, the least he could do was to return evasive and comforting answers to the distant place hunters. One of the clerks was trained into this department,

and very few petitioners were disappointed,—of answers at all events.

But a greater misery awaited me from time to time. A voter sometimes came down from his hills, brought his family along with him, and made a descent on the capital. Oh terrible apparition! Oh dreadful nightmare! At six o'clock in the morning, father, mother, and daughter were relieving each other at the bell rope; Provincials, confound them, are such early risers. Then was I roused from my two hours' slumber, and putting on my morning gown, and rubbing my eyes, I reeled into the drawing-room, to give a gracious welcome to my visitors, instead of bequeathing them to the care of Pluto, Cerberus, Charon, Minos, and the other inhabitants of Hades. "Hold! is it really you, Father Michonneau! you at Paris! how kind to think of coming to see me." "O faith, that we did without loss of time, we know our duty, ask Madame Michonneau there." "Oh, as to duty and respect and that, no one can find fault with my good man," added Mme. Michonneau. So I was in for my two hours' task of listening to the cause of the journey, the savings made by keeping their eyes open, the settling of the young lady at school, and the other weighty reasons which suffice to rout a country dweller out of his rural fastness. To see Paris thoroughly, especially every gratuitous exhibition, is to the Provincial a case of conscience, and if any lion happens to be overlooked the Deputy is sure to be blamed. He is expected to make bolts and bars give way at the Royal Chateaux, the royal parks, the museums, the exhibitions, aye, even the theatres. On these occasions Mme. Paturot took charge of the women; and ah! what deplorable fashions of dress did these ladies bring from their wilds, and what bursts of ill suppressed laughter did they not occasion among the apprentices of the milliners, to whose shops Malvina guided them. The mistresses themselves could scarcely restrain their merriment, and by way of climax to my wife's mortification, they went out and returned twenty times for an abatement of two francs in the price of an article.

When the Michonneaus took dinner with us, they coolly put biscuits and fruit in their pockets, for the next morning's déjeuner. If they met in their rounds anything antiquated or ridiculous in cut or style, they were sure to make a point of buying it, and not be satisfied till it was in their possession.

Sometimes I was tranquil on my bench at the Chamber, glad to escape for two hours from the tyranny of my patrons, and kept in a delightful state of reverie, by some sleepy, written, speech, when all at once I would be aroused by the voice of an usher at my ear, "Monsieur Paturot is wanted in the hall." Needs must, I was obliged to come out, and what did I find? a legion of Michonneaus! three generations of Michonneaus!! and for this countless tribe I was obliged to provide seats in the chamber, to hear the orations; at the trouble of going from one office to another, and disarranging the entire machinery of the order of the Chamber. Once ensconced in their pews, they soon enlarged their sitting-room by dint of knee, and elbow, and mountain pertinacity, so that they might chatter at their ease.

Then began another infliction—Madame Michonneau, gifted with the sight of a lynx, soon singled me out, and with eyes and hands, and gestures, seemed eager to open a communication with me. Even at that distance I fancied I could hear her, "Eh husband, do you see our Deputy? Look, he is at this side, in the corner, the fourth on the left hand: (then aloud) good day, M. Paturot, good day." "Where the deuce, do you see him, Madame Michonneau?" (I knew by instinct that this conversation was passing.) "Are you blind, my good man! there, to be sure, with the blue frock and chestnut hair, speaking with that other ramrod of a Deputy, (then getting up) your servant, M. Paturot." This operation endured the whole sitting; the entire family came there, as it seemed, merely to enjoy the sight of their Deputy; and Madame Michonneau seemed determined to commit me in the sight of the whole assembly: so pointed were the gestures of hands, and face, and so prodigal was she of little signs of familiarity, that, in self-defence I leaned my elbow on my desk, and, turning my back to the enemy, resigned myself to a state of perfect immobility. The clan then commenced to listen to the speech and yawn, and eat some of the morning's plunder, and Father Michonneau began gradually to lose his pristine awe of the majesty of the occupier of the Tribune. He took care to accost me when coming out with, "and why does not our Deputy get up there, and gabble like the others? that would make a noise at home."

Always the same reproach! "why does not our Representative make a speech?" It is often wondered, why such and such members get into the tribune, and lay themselves open to the jibes of the reporters. Alas! they go up in fear and trembling, and under the goading of their constituents, especially if the member of a neighbouring arrondisement makes a figure: then is our member an ass, an idler, or one sold over to the enemy, and his only resource is the dreaded attempt at an oration.

Paturot shivers at the thought of the ordeal: he fears that he will lose his self-possession after climbing the awful marble steps, and finding himself the centre of the eyes and minds of a numerous assembly. He also fears that, becoming confused, and attempting to improvise, absurdities will be as likely to pour from his lips as things worth listening to.—Confidence in your own powers, and contempt for the qualifications of your auditory, being the chief ingredients of success, he dreads the experiment, as he has no pretension to either of these gifts.

At last, finding himself as it were, between the devil and the deep sea, he determines that he will pass the Rubicon, and from the moment of taking this resolution, adieu to sleep. He lay awake fancying himself in the Tribune, striving with meaningless words and incoherent phrases: he searched for the sonorous adjective, the resounding substantive,—he polished the peroration, he perfected the exordium. This state of sleep-

lessness and nightmare gave him frightful cramps in the legs, and he thence takes occasion to bewail the lot of the bedfellows of renowned orators.

"What in the world ails you?" said Malvina "you are wriggling and twisting like a Melun eel." "I am improvising, my dear, improvising. Oh what a delicious sentence I have just secured; shall I repeat it to you?" "I'd be well employed listening, at 3 o'clock in the morning." "Ah, my duck, eloquence is not confined to hours: for twenty minutes I have been crushing the faction with the hammers of my rhetoric." "So you have—in your dreams; I'll find the marks on my legs in the morning." "All inspiration, my pigeon: I will pulverize the Press, this plague of plagues, this Hydra: listen." "No, no, I'll get up." "Hear what I was saying to this leper which they call a Journal: I soared to the highest point of eloquent sublimity. Messieurs, I take possession of the Tribune to protest against the boundless license of the Press. Were I to perish on the scaffold, I will raise my voice against these scribblers who"—"Jerome, Jerome, you're taking advantage of your position." "Wait for a bit, my darling: I'll give them such a cudgelling as will astonish them.—These scribblers who respect nothing, who voluntarily assume the position of outlaws, who"—"Jerome, do you intend to put me in a passion?" "A little patience, my dear, you will now see the arrow launched to inflict a mortal wound.—These scribblers who"—"You'll have it I see —now mind yourself, Mr Paturot." * * * *

After this specimen of a French *Mrs. Caudle, Paturot* describes his attempts at eloquence, and thus paints one of his models—Berryer:—

To make myself a proficient in the oratorical art, I had then in the chamber under my eyes, a number of first-rate models: which should I follow? that was the question. My first great man wore a blue coat fastened to the very chin with steel buttons: at a distance it would resemble a cuirass covering a well developed chest. The character of the head was fine, the eye lively and full, the features regular, the lip slightly sardonical, the forehead vast, and the head bald. You could perceive in the ensemble, real power, feeling, warmth, in a word, all the qualities of the artist. He was, in effect, a great artist, more enthusiastic than self-convinced, more ardent than reflective, and delighting, for sake of the very difficulty, to move about in a labyrinth without visible issue. Speech more beautiful or more complete than his, could not be heard, nothing more sonorous or more full than the quality of the tone: the dignity of his gestures, and the pride of his look conferred on these exterior advantages a resistless, seductive, influence. In his happy days no orator could guard his convictions with the charm of so many combined attractions. But this success rarely attended him beyond the tribune; having listened to the delivery of the speech, you should not spoil the impression by looking at it in type. The lava once cooled, lost its proper quality of glitter and movement; in the evening you admired the torrent in fusion; next morning you could not help remarking the scories. There was much vagueness in the

idea under all the pomp of the expression; a dialectic more brilliant than solid; meagre arguments under flowing robes; a rare skill in throwing uncertainty into a question, but no power to arrive at a just conclusion. These were the features of his oratorical powers, the most finished, and, at the same time, the most incomplete of any exhibited in the modern school. He figured there as one of the first masters of the art, and though on opposite sides, I must allow him his full claim to his position.

The following is a sketch of Odillon Barrot:—

Near him, but with a heavier appearance by far, sat a tribune who made too much use of his eye-glass in filling up pauses, and keeping himself in countenance. He also wore a coat buttoned to the chin, a circumstance seemingly inseparable from the outer man of orators. A forehead lofty and projecting, the eye surmounted by a bushy eyebrow, the forepart of the cranium nearly bald, a countenance deficient neither in dignity nor character; these were the characteristic traits of my second master in art. When compared with the former chief, his method had not the same power or grandeur; it was heavy, and the diction was devoid of elegance and ease; the expression was just but languid, and not always well chosen, and the grace was in an inverse ratio to the solidity. These defects were recompensed by the possession of many sterling qualities; under the rough bark you could not fail to be aware of a fund of rectitude, and an accent of the most honest self-conviction; his ideas made their way to the minds of his auditors with some embarrassment; still they were found logically dependent on each other, evolved in a certain order, and clothed in a sober garb too much neglected in this day. In these conditions, the orator creditably represented a party which relied more on sound principle than on charm of elocution. I was not of this party, but was ever ready to recognise the uprightness of its views, and the sincerity of its convictions.

We next have Lamartine:—

These two persons having been considered, I was approaching my object. This was the early time of a talent the most dithyrambic that ever invaded any rostrum, premising that I wish this epithet to be taken in its best sense. Plato excluded all poets from his Republic, without seeming to suspect that thereby he banished himself as poet, aye, and one of the greatest of antiquity. He who aspires to the perfect is a poet, for what is poetry but an ideal of perfection, wrought from the combination and abstraction of imperfect things. One can then be a great poet and a great orator, there is no intrinsic inconsistency. Nothing could be more noble or felicitous than the cut of the features, the carriage, and the pose of the lyric and chivalric orator of whom I speak. These exterior advantages count for something in the success of a speaker, they prepare and perfect it, and when purity of accent and enunciation, grace and moderation of gesture, and sparkling play of feature are added, the elocution, with little effort, seizes on and enchains the hearers. This was the case with the poet-orator: but he did not feel it the less necessary to display all the magnificence of his style,

and bring to his aid a prose, colored with as much care as the most perfect poetry. At this epoch his views soared beyond the Chamber, and he frequently overshot the mark, and was soon obliged to regulate his strength, to moderate the spring of his powers, and bring both his thoughts and their dress to the level of the capacity of his hearers. This superabundance of power, is however, a defect readily pardoned; it is far easier criticized than attained.

The next is Guizot:—

And now for the contrast; close to this enchanter who held in his hand the golden branch of poetry ever renewing its leaves, see the dogmatic teacher who sacrifices to concision, I might almost say dryness, inexhaustible abundance of images: the well-filled, and compact, and involved period are succeeded by short and square-cut phrases, and a dialectic, sober and magisterial. All was done by weight and measure, all went on by learned, sharp, and unerring demonstrations. His oratorical baton resembled mightily the ferule of the schoolmaster; the request took the air of an injunction, the very prayer resembled a remonstrance. This plan is occasionally successful; assemblies seldom rebel when they are ruled by an intellect of this kind, particularly if the physical and mental powers of the leader correspond, and better still, if the eye be calm and austere, the outline of the countenance angular, and the voice distinct and commanding.

Now we have Thiers:—

Nothing is more sure of success than a will which requires implicit obedience, and will not brook discussion; and if this self-will is found united with some felicity of expression, it is rare that large assemblies resist the combination. Dogmatic eloquence is the surest in effect, the easiest in practice. It is seldom that we cannot inspire others with our own self-confidence, particularly if this confidence is frequently exhibited and never seen to waver. Still, success in this line was not to he thought of by me; my instincts directed me elsewhere. Another orator of the first class flourished in the Chamber, and he was destined to be my model. I never could sufficiently admire the rapid triumph he had obtained. To acquire a high parliamentary position, he had had to contend with obstacles of every kind, in his voice, in his size, and in a very unprepossessing exterior. The members who ordinarily ruled the house, had every advantage over him in these respects. It was necessary to compensate for them by dexterity of speech, fecundity of resources, and versatility of talent. This was my idol, the master of my choice: every time he mounted the marble steps I became self-recollected as one going to receive a lesson. To do him justice he was no niggard of his time, and I had ample leisure to imbue myself with his manner and peculiar method. What particularly pleased me in his procedure was, that he began with his subject in its cradle, and never quitted it till it was entombed, or otherwise exhausted. He always took for granted (and God knows with what justice!) that the Assembly was ignorant of the very first principles of things; this showed a deep insight into human nature. Thanks to him I was very near comprehend-

ing the Eastern question; he was my star in the darkness: through his instructions I learned that there stands on the Bosphorus, a city called Constantinople, and that the Turks form the majority of the population. Now this, it must be owned, was a fact very essential to be known at the outset; with some further efforts, I might have obtained a notion of Syria and Egypt, famous countries in days of old. Alas! time was wanting to complete my parliamentary and historical education. Still nothing can efface the impressions left on my memory by an eloquence the most spirited, the most alert, and the most profuse of any of our orators; how can I forget his ingenious style of explanation and narrative, the ductility and elegance of his language, or his historic erudition, which never seemed at a loss, or unable to furnish parallels or illustrations.

Jerome having selected his model, sets to work by laying in a store of parliamentary phrases in fashion at the time, for his great speech on the subject of allowing cheese into the country, duty free, this question interesting his mountain constituency in a very sensible manner. He gets the speech by heart, but is careful to have the manuscript in his pocket when ascending into the tribune.

A glass of water was at my right hand; I drank it off mechanically, and endeavouring to steady my voice, I began. "Messieurs," said I, "permit me to address my country on a subject which deeply interests her, I speak of cheeses." At this unlucky word, a roar of laughter burst from the whole assembly. Ministers, journalists, even the very ushers, took part in the general hilarity. It was a very decided hit, so I attempted to continue, but found it impossible; the explosions of mirth drowned my voice, and some uncomplimentary jokes began to circulate. Tired at last, I descended, but carried my precious manuscript to the office of the *Moniteur*, where it figured in five large columns next day, interspersed with *cheers, applause*, and *hears*. My constituents lost the cause, but I obtained in their eyes a complete success, and thus I won my field of Austerlitz.

But poor *Paturot* has been very fortunate hitherto, gaining distinctions and advantages which precipitate his downfal. His ill adapted and expensive mediæval establishment, his parliamentary engagements, his attention to his military duties, the knavery of a head clerk, to whom the care of his neglected business was entrusted, and his loans to his great *Russian Princess*, all unite their evil influence, and our hero, instead of finding his *caisse* well filled, is obliged to borrow. He speculates in the funds, and buys an enormous amount of stock on one occasion, from seeing by chance an open letter on the table of an influential person to whom he had paid an early visit. This unlucky note bearing a date six months old, unperceived by our victim, he is ruined if the *Princess* cannot refund. She disappears, and is

heard of some years later as mistress of a café on the banks of the Neva, and *Field Marshal Tapanowitch* condescends to look after the spoons. A benevolent money lender comes now, *sicut Deus ex machina*, with 22,000 francs, and will not hear of interest: he merely takes a mortgage, or some French instrument similar thereto; and all would be very well, but that he can command no more ready cash, for the moment, than 6,000 francs. However he conducts *Jerome* into his extensive store, and there our hero is left at entire liberty to make up the deficit with curious bird cages, pipe shanks, otter-skin caps, boxes of wafers, cases of puppets, tooth-picks in hard wood of the Pacific, galvanised mouse-traps, paint-brushes, accordions, and spicy pictures. Our borrower must be difficult to please if he could not make a selection from these valuables, but in spite of this piece of good fortune, our political man of business that should never have soared beyond the province of the sonnet or feuilleton, is cast into prison, and passes through the court of bankruptcy; and here he observes, *en passant*, that he cannot see the wisdom of a creditor throwing his slave into prison, and thereby rendering any payment impossible. Poor *Malvina*, awaking from her feverish dream of high life, is once again the devoted and affectionate wife; and that we may not leave the reader with sore feelings for the sorrowful lot of the misguided but worthy pair, we are happy to say that some government appointment, of a moderate salary, is procured for them in the province, and there they are settled, at the close of the story, tolerably resigned to their destiny.

The length of our extracts leave us little space, even if we had the inclination, to draw an erudite moral from the work before us. We might conclude that persons of a poetic temperament are not the best adopted to fill commercial or political offices; that talents or property are of little use, except the possessor enjoys in addition the blessing of sound common sense; and that people mixing in society above their rank are no better off than the earthen vessel among his brazen acquaintances in the flood: but these truths are older than the times of Æsop, and besides, we are convinced that little benefit is really obtained, in a worldly or moral point of view, from didactic treatises, or moral observations.*

* To the list of good French Works, given in THE IRISH QUARTERLY REVIEW, VOL. III. No. 11, we beg to add a pleasant novel, or rather collection of novelettes, by Pitre Chevalier, *La Chambre de la Reine; La Marquise de Norville*, a Languedoc story by Elié Berthet; and a truly beautiful tale by George Sand, called, *Mont Revéche*.

Art. III.—THE IRISH LAND QUESTION.

1. *Tenant Compensation Bill, Ireland.*—Parliamentary Session of 1853—As Brought from the Commons', and as Read a Second time in the Lords'.
2. *Same Bill.* As Amended by Mr. Sergeant Shee, M.P. for the County of Kilkenny.
3. *Report on the Policy and Votes of the Tenant Right Party in the House of Commons during the last Session.* Report made to The Tenant-League Conference, Dublin, Tuesday, October 4th, 1853.
4. *Report from Her Majesty's Commissioners of Inquiry into the state of the Law and Practice in respect to the Occupation of Land in Ireland.* Presented to both Houses of Parliament by Command of Her Majesty, 1845.

The Land Question in Ireland has been, for many years, one of the chief of what have been called the *problems* of Ireland's economic condition; and has been fatally prolific, not merely in our own times, but for much more than a century back, of misery and crime. So dark and dispiriting is the prestige thus acquired that it has deterred, and still does deter, many from even approaching the investigation of this question; and thereby, in all probability, has much delayed its satisfactory settlement; if it be capable, as, for our parts, we would believe and hope—against, perhaps, all rational expectation, of a complete settlement deserving to be styled conclusive.

To supply material to the reader for coming to a judgment of his own upon the matter—one of such deep interest and importance, not solely to Ireland, but, through her, to the Empire, which never can be thoroughly prosperous while Ireland is disturbed—we propose in this paper to review, as succinctly as possible, the present and the by-gone condition of the Land Question. It will be necessary, of course, to notice as part of our text, but with as much brevity as is at all consistent with a fair exposition and treatment of them, and a due consideration for their authors and public advocates, the various plans, bills, and theories on the subject, that have emanated from public writers, and from speakers in Parliament and out of it,—in office, or in opposition.

The relations between Landlord and Tenant in Ireland were thus described ten years ago, by an Englishman who had, for thirty years, been agent to large estates, both in the

North and South of Ireland; a man of conservative opinions, but unconnected with party in this country:—

"The occupying tenantry are in a low state of serfage; their mode of living is low, their condition abject, their treatment haughty, their distance from any intercourse with the lords of the soil immense. In general they are handed over to the tender mercies of agents, whose chief duty is deemed to consist in the exaction, by every possible means, of the highest possible rent; his duties being regarded by his employers as *fully* discharged by that *mere* collection." * * * * (p. 16.) * * * * "There are, it is true, many honorable exceptions; but it is the general state of things of which we now treat. * * In a general point of view, if proofs were wanting of the utter derangement of this important relation, they would be abundantly supplied from that 'evidence of facts,' which presents itself to the eye and reaches the heart of every traveller in Ireland; moving him now with compassion, now with indignation, until, alas! through the deadening powers of habit and familiarity, both his eye and his heart become more callous." (p. 22.) "However, one cannot *at first* behold the wretched and filthy habitations—the inadequate outbuildings—the ragged habiliments—the poor food—the miserable fences—and the thousand other indications of poverty, without feeling that much—very much indeed is wrong between landlord and tenant." (p. 23.) "Every writer on Ireland speaks of 'Exorbitant Rents,' viz., Spenser, Dean Swift, Archbishop Boulter, Rt. Hon. J. Fitzgibbon, Gordon, Newenham, Dr. Woodward, Curwen, Parliamentary Reports (with evidence) of Committees of 1825, 1830, 1832. Wakefield, the latest, says:—'It is an undoubted fact that, as landlords, the Irish proprietors exact more from their tenants than the same class of men in any other country'—and the close inspection of any particulars of sale of land will shew the fact. * * * The fact is *notorious*, that rents in Ireland are vastly *beyond any proportion of produce exacted in England.*" * * * (pp. 26, 27.) "Fancy a petty lord of the soil with a bevy of bidders *humbly* walking after him: 'Well Mick,' he says to one, 'you hear what Pat bids for the land; now what will *you advance*?' 'Why yer honor, its more than the value, but I'll give your honor three days' *turf drawing*.' 'Three days, my lad, when you know that my turf stack requires a month's fine weather.' 'Och, then,' says Denis, 'I'll not grudge yer honor a week.' 'By the powers, now,' says Larry, 'I'd give yer honor two weeks if the place would keep a horse, or a mule, or a donkey, in the way of drawing; but I'll bring yer honor a fat pig anyhow, and pay the rint of £4 an acre as punctually *as any other man*.' 'Larry, the land is yours.'" (p. 38.) "When the inevitable '*arrear*' comes on, further demands are made in the way of personal service; and further injustice perpetrated. Thus, for instance, the unfortunate tenant is made to pay all the poor rate, by a refusal to allow any portion of it till the last penny of rent is paid; a circumstance *neither probable nor expected.* Good landlordism in Ireland has many checks, but none so powerful as *ridicule*. Does a landlord evince a disposition to let his land at

moderate rents, it is endeavoured to laugh him out of his *amiable weakness*, and strong hints are given by other landlords, that by foolishly giving away his own property, he is indirectly lessening theirs."*

These are but a few, and not the strongest, extracts from the treatise of this English gentleman, long and intimately conversant with the state of Ireland, as regards the tenure of land.

The Commissioners of Land Inquiry, appointed by the late Sir Robert Peel's Government in 1841, under the presidency of the Earl of Devon, reported in 1845, (two years later than the appearance of the work from which we have last quoted,) and their account of the state of things between landlord and tenant in Ireland, was strongly in accordance with the description given by Mr. Wiggins. Their striking language, in speaking of the cottiers and agricultural laborers of Ireland is sadly familiar to our ears. They said of them—premising that "a large proportion of the entire population comes within the designation" in question,—that

"The agricultural laborers of Ireland suffer the greatest privations and hardships;—they depend upon precarious and casual employment for subsistence;—they are badly housed, badly fed, badly clothed, and badly paid for their labor;—it would be impossible to describe adequately the sufferings and privations which the cottiers, and laborers, and their families in most parts of the country endure;—in many districts their only food is the potatoe, their only beverage water;—their cabins are seldom a protection against the weather;—a bed or blanket is a rare luxury;—and nearly in all their pig and their manure-heap constitute their only property;—and finally, that they endure sufferings greater than the people of any other country in the world."

In another part of their *Report*, they speak of the victims of what is known by the sadly expressive designation of "the clearance system. "It would be impossible for language to convey an idea of the state of distress to which the ejected tenantry have been reduced, or of the disease, misery, or even vice, which they have propagated in the towns wherein they have settled; so that, not only they who have been ejected have been rendered miserable, but they have carried with them, and have aggravated that misery."

* See Wiggin's "Monster Misery of Ireland," Dublin, 1843. See also the Devon Commission Report.

We might easily multiply these distressing quotations, were it not too great a trespass, not so much upon the reader's patience, as upon his feelings. Our limits too, require that we should proceed with our subject.

Unhappily the state of things described in the foregoing extracts, has by no means become a story of the past. It has prevailed, with even greater intensity and severity, to within a very recent period, and is still rife in too many parts of the country. Rents have been kept up, although produce has fallen in price. Ejectments were unsparingly urged on in despite of every remonstrance and supplication; and the cabins of the peasantry were pulled down in such numbers, as to give the appearance, throughout whole regions of the south, and still more of the west, of a country devastated and desolated by the passage of a hostile army.

It might have been thought, and in fact it was thought, and expected by many, that the diminution of the agricultural classes since 1846—a diminution of at least three millions, of which upwards of one million may be calculated to have perished at home under the combined agencies of famine and disease, leaving the rest to be accounted for by the extraordinary emigration, even still actively in progress—would have had mixed up with its many calamities, a small modicum of good in ameliorating matters in some degree, by diminishing the number of *bidders* in the species of land-auctions so strikingly depicted by Mr. Wiggins. But such is not the case. The "supply" of land has been diminished in still a greater proportion than the demand, owing to to the mania which possessed our landlords within the last few years, of "consolidating,—" in accordance with the dogmatizing theories of London newspaper writers, and of Scotch cabinet-philosophers. Enormous tracts of land, formerly in busy agricultural occupation by crowds of people, have been given up to "scientific experiments," on the part of an "enlightened" landlord aided, or rather played upon, by a mystifying and "*owercanny*" *Scotch Steward*; or have been turned into unwieldy realms of pasture, where sheep and cattle reign supreme, and usurp the places where once stood the humble homes of thousands of industrious human beings.

The field of competition has thus become even more narrowed than the number of competitors; and an unexpected, and in a great degree unprecedented re-inforcement has come

to the latter from the ranks of the smaller traders and business-people in towns, who are said to have lately begun to display a singular avidity for the possession of farms.

It is true that the landlords who have essayed in practice the newspaper and cabinet-born theories alluded to, have already begun to see, because they have been made to *feel*, their mistake. It has been found that a "Scotch steward" is not necessarily a wealth-bringing divinity:—that gentleman-farming upon a large and "enlightened" scale has such far-sighted views about it, as to make the *profits* disappear utterly in the distance; that the introduction of "chemistry" into agricultural operations has a tendency to "dissolve" or "transmute" the money of the proprietor; and that men, women, and children, are not, after all, such a surplusage in the orderings of Providence as the benevolent philosophers, and utilitarian dogmatizers who lecture upon the condition and prospects of Ireland, are wont to consider them.

But the discovery has come late, and the conviction is still more tardily and unwillingly acknowledged; and indeed even yet more sparingly acted upon. But events hurry on. The flower of our people are going forth from us, taking away the capital that would otherwise be invested in the land at home, enriching the country and the individual. And where the people do remain in any number the old bickerings are still rife, and, periodically, the fearful news of an agrarian murder comes upon us with the startling effect of the minute gun heard from the sea at night, revealing suddenly that the elements of destruction are rioting abroad.

Mr. Vincent Scully, Queen's Counsel, and M.P. for the great agricultural County of Cork—himself a considerable proprietor of land, thus describes the existing state of things, in a work entitled, *The Irish Land Question*, which he published not long ago.

"The tenant has no sufficient security for the repayment of any labor or capital he may expend.—Rarely indeed is he able to invest it in the most legitimate manner by acquiring a permanent interest in his own farm. Consequently the land is seldom improved; but often deteriorated. He becomes unable to meet his original rent, and is either ejected, or suffered to linger on. Finally he finds himself unable to pay any rent; the ruined occupant of an exhausted farm.—Landlord and tenant suffer through the continual

irritation and warfare which the present system of tenure engenders and perpetuates between them."*

Having thus far stated the opinions of men well versed in the condition of the Irish tenant, we turn to Mr. Scully's proposals for the amelioration of the misery of the people whom he has described: his panacea is—

"A *Land tribunal* to be constituted which on being applied to by a landlord and tenant, is to have an accurate map prepared and to ascertain by a proper valuation the fair letting value, or net annual value, which a solvent tenant can afford to pay over *all* rates, taxes, and public charges. If this valuation be agreed to by the parties, it is to be registered for future reference: together with all documents appertaining to the transaction. The rent agreed on is to be lodged in bank, to the credit of the Land tribunal: in default of which lodgement the landlord may re-enter: but the tenant may redeem within six months by paying up arrears and costs; or may sell his interest to a third party who will do so. The landlord to have a summary power to prevent sub-letting, waste, or breach of agreement on the tenant's part: and may also raise money on land debentures equal to ten years' purchase of the *fixed* rent. The tenant to have a perpetual interest under the agreement so long as the rent is paid; and he may *fine down* his rent at 4 per cent. by paying instalments of not less than one year's rent. He may also, on paying one moiety of the purchase-money of the ownership, raise the other moiety, either from private persons, or by an advance from public money to be repaid by low instalments of part principal and part interest: secured upon land-debentures."†

Not delaying to express at length the astonishment with which such a plan, from such a quarter, must fill every mind, we would note some very serious objections, which, unless refutable, must prove its utter impracticability.

First, how is this "Land-tribunal" to be constituted; and to be paid? Where are the wise men skilled in agricultural matters, and in general knowledge of men and things, who can be induced to give up all other pursuits, to devote themselves permanently to the investigation and decision of the intricacies connected with the valuation of all the lands of the Kingdom? They must be well paid for such an office; and as in these free-trade and *Laissez-faire* times there is no chance of Parliament consenting to salary them, *direct and large money-fees* will have to be exacted from landlord and tenant going before them; in addition to the loss of equally, or *more*, valuable *time* and temper.

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* p. 29—30. † pp. 41—44.

That we do not exaggerate the work cut out for this tribunal, let us take Mr. Scully's own *summary* of it, at page 47—48, of his own book.

"Their duties shall be 1st. To prepare appropriate forms and general rules, to regulate proceedings:—2nd. to examine each proposal, to have a map and ascertain *fair letting value (?) investigate title* (!); and require that all documents be duly lodged. 3rd. To *receive and pay over all rents!!* To receive and duly apply all sums paid as rent or for the purpose of fining down rents—and ACT *summarily* in enforcing payments and observance of agreements! 4th. To issue land-debentures. 5th. To examine and decide on applications for absolute sale of any settled, or trust estate; receive the purchase money; and provide for its future application; according to the legal rights and so as to protect the interests of all parties! 6th. To arrange for local land-banks, through which all payments, &c. shall pass."

It will be seen that not only must the members of this land tribunal be first-rate agriculturists; but first-rate lawyers, bankers and executive administrators of the new land-law! And yet, according to Mr. Scully's plan, there is, at first, to be no *compulsion* on landlord and tenant to submit themselves to this tribunal, though it must be constituted and ready to act the moment they agree, (if ever they do agree), to submit to it! Truly it is not unlikely that both parties will be of the poet's opinion,—

"Better to bear the ills we have,
Than fly to others that we know not of."

But supposing these giant initiatory difficulties disposed of, with the same facility that giants are dealt with in fairy tales, it can scarcely be necessary to go beyond the first objection, just stated. The strong ground for further objections must be obvious on a moment's consideration of the proposition to have rents paid, not into a landlord's, or his agent's hands, but into those of a "*Tribunal*" or Board, such as we have just described; which would thus have the handling of 13 or 14 millions of money, independent of the sums contemplated to be similarly paid in for the purpose of fining down rents. Again, all the elaborate machinery thus to be set a-going, is to be liable, at any moment, to total stoppage and defeat, whensoever a landlord may choose to consider that there has been waste, or breach of agreement on the tenant's part,—he being empowered in such cases, summarily to re-enter and resume the land to himself!

But it cannot be necessary to go further in dealing with a project so evidently but a hasty thought.

We come now to the plan upon which there has been much of factitious agitation during the last three years, and not a little of *real* agitation—the plan of the body entitling itself the "Tenant League."

The following is the "Exposition" of it, drawn up and approved at the Tenant League Conference, of September, 1852, and ratified at the recent annual meeting of the same, in October of the present year.

"The protection of law is required for the whole body of Irish tenants: as regards the nature of that protection, they may be divided into three classes. 1st. The tenants who, without any security, have made improvements. 2nd. Tenants who, in the absence of any law to protect them, have been deprived of all ordinary motive to improve; and therefore have not improved, but who, on the passing of a good tenant right law, would be likely immediately to commence improvements. 3rd. Tenants who relying on an existing custom of tenant right have improved and accumulated property on the soil. An adequate tenant right law should provide for all these. The following are leading and essential principles of Mr. Crawford's bill. 1st. That all improvements made, inherited or purchased by the tenant ought by law to be his own property. 2nd. That so long as they add a marketable value to his land, they are *unexhausted;* and there is no just reason why at any period they should be forfeited to the landlord. 3rd. That it is almost universally true that all improvements in Ireland have been made by the tenant—that the presumption of law should accord with this;—and that in any legal proceedings all improvements should be presumed so made, unless the contrary be shewn. 4th. That when a landlord goes to evict a tenant or raise his rent, the tenant should be entitled to claim compensation for all improvements, and that inasmuch as a compulsory change of farm is a frightful loss to the tenant, such tenant should be compensated for the injury consequent on such enforced dispossessment. 5th. That a tenant be legally entitled to sell his interest in his farm to any other solvent tenant, provided that in so selling he do not subdivide; and that when any landlord declines to accept such solvent purchaser, he should himself be bound to accept a surrender of the farm, paying the original tenant for his improvements, or for his tenant right, according to the custom, 6th. That inasmuch as a tenant often finds himself in the circumstances that he is paying a rent for his farm, which said farm, if divested of the tenant's improvements, is not worth; and the tenant is therefore, in the present state of the law, under the necessity of either continuing to pay rent for his own improvements, or else surrendering such improvements to the landlord along with the land; that any such tenant, being a tenant holding at will, or from

year to year, should be entitled to serve notice of surrender of his farm on his landlord, and requiring a reduction of rent, with an offer, stating the rent at which he would be willing to continue as tenant—that if the landlord object to continue him at such rent, a valuation of the farm by arbitrators should therefore be had—that such valuation should discriminate what is the value of the improvements, and what would be a fair rent to pay for the land if divested of these improvements; that the landlord should, at his option, either accept the surrender of the land and the improvements, paying the tenant what the improvements have been so valued at, or else leaving the tenant in possession of the improved land, continue him in the tenancy at such rent as the land, without the improvements, has been ascertained to be worth; the landlord in no case to be bound to accept the surrender and make compensation, provided he be willing to allow the tenant to continue in occupation at the fairly valued rent, or to sell at such rent to another solvent tenant.

"That, after the acceptance of a tenant, at a rent settled by the arbitrators, or other tribunal provided in any law of tenant right, such acceptance should be taken to operate as a lease for some given period, say 14 years, and that during such period no further question as to rent should be raised by either party.

"That the tenant should have no right to claim for any other improvements than such as are suited to his farm, and the cultivation of it in a husband-like manner—that he should claim no more than in proportion as these improvements increase the letting value of the farm at the time that the valuation of them is made; but that if he chooses to make no claim for them, or if they are adjudged to be of a sort unsuited to the farm, or not adding to its letting value, then he should be entitled to remove the materials of them.

"That the operation of the laws repealing the duties on imported cattle, corn, and other agricultural produce, having greatly reduced the value of land, and altered by an act of the legislature the prices and conditions under which land was let before such duties were repealed, all tenants holding by lease or written agreement made after the year 1815, and before the repeal of the corn laws, should be entitled to claim a new valuation of their lands, and a readjustment of the rent to the existing value of land, provided always that such claim be made on or before some certain day, to be fixed by the legislature.

"That inasmuch as common prudence has hitherto prevented a large proportion of tenants from making improvements which the law authorised the landlord to confiscate to his own use, and it is just and politic, that existing tenants who may be willing to make improvements should have an opportunity of making them under the security of a good tenant right law, that in order to give time for the making of such improvements, no landlord should be permitted for a reasonable period (to be fixed) after the passing of a tenant right law, to evict any tenant so long as he pays a fair rent for his holding, the fair rent to be determined in the same manner as provided for in other cases under the bill.

"That by the changes in the law already alluded to, the calamitous failure of the potato crop, and the increase of local taxation conse-

quent on these and other causes, great arrears of rent have accumulated on tenants, which arrears discourage their industry, and oppress their energies—that from the peculiar causes which have led to the accumulation of these arrears, it is just and politic that tenants in this special case should be enabled to compound for these arrears by means of the same tribunals as may be provided for other cases arising under a tenant right law. That in all districts where the tenant right custom has prevailed, tenants should be entitled to the full benefit of that custom, if they choose to claim the benefit of it—that in such cases they should prove that the custom has existed in the district, and should shew what the custom is—that they should be bound to elect whether they should claim on the ground of improvements, as provided for by the act, or under the custom, but that they should not claim under both; that having elected to claim under the custom, and shown what that custom is, they should in all cases of proceeding connected with eviction, rise of rent, &c. &c., be entitled to the full benefit of such custom, to be enforced by the same tribunals that may be provided for other cases coming under a tenant right act."

Looking attentively into this exposition, and perusing the more extended and detailed explanation of its subject matter, in the Bill denominated, *Sharman Crawford's Bill*, we find that to enable the latter to be carried into effect, as a *law*, the following *postulates* should be obtained, viz:

Disputes between landlord and tenant are to be submitted to two arbitrators, one chosen by either party, with an umpire to be agreed upon by both; and if no decision, (or submission to such decision,) then the case to be referred, if a matter of less than £100 value, to the Assistant Barrister with a Jury; and if over £100 in value, to the Assizes. There will thus have been incurred expence and loss of time in attending *and paying* arbitrators and umpire, bringing witnessess, &c.—and in case of the references or appeals provided for, there will, of course, be greatly increased expence—and a delay of months: certainly not less than two, and possibly seven or eight months, *(see clauses V. and VI.)* before an ultimate decision.

Then come the matters of enquiry. These must be ranged under several divisions:

1st. What improvements have been made; and are they *improvements?*

2nd. By whom made—by the tenant alone? or by the landlord? or by both together?

In the latter case another question arises—viz:—in what proportion is their value to be shared?

3rd. What is their *value?*—and in what proportion is that value to be shared between the parties?

Clause 7, which specially deals with this question of "*value*," provides that in all cases the arbitrators shall first specify what "they deem to be the '*fair rent*,' *according to the definition before given of* '*fair rent*.'" Naturally we look back at once to discover this definition, and find it (such as it is,) in clause 2, where it is declared to be the landlord's JUST *proportion* of the money value of the gross produce at the market price of such produce, which the land will give under a FAIR system of culture and improvement; after deduction for labor and expenses of cultivation, and for taxes, cesses, &c. &c. ! !

According to this then, a *fair* rent means a *just* proportion ! we get rid of the difficulty about "*fair*" by encountering an equivalent difficulty as to "*just*"; and yet we are not altogether relieved of the former epithet. It meets us again when estimating the degree of cultivation the land is capable of, as we find we have to agree on what is to be considered a "FAIR" system of culture !

With such a formidable enigma to be solved, lesser mystifications are scarcely to be noticed. Yet we may observe, in passing, that it *does* appear rather a strange description of "*gross produce*," to give that title to the residue of the produce, after deductions for *all cost* and expenses of cultivation, all taxes, rates, cesses and charges, and for *all labor of* the tenant ! ! !

Already there must have appeared enough to satisfy every calm and reasoning mind of the unfitness and incoherence of the proposed remedial measure : but we cannot altogether pass from its details, without noticing briefly, and summarily, a few more points in which it really is inconsistent with common sense, as well as with beneficial legislation.

By clause 1, the out-going tenant in seeking compensation for "improvements" can claim not only for the "value of all labor and capital expended, and for his interest in the premises," but also, for "*any loss or injury he may sustain* by dispossessment therefrom" !

By clauses 4 to 8, a system of arbitration and *valuation* is established, which is plainly compulsory, inasmuch as though landlord and tenant *may*, if they so please, arrange their differences without it, yet *either can compel* the other to submit to it. The first question here to be asked is,—if this be a good and a right system between landlord and farmer, why should it not also prevail between farmer and *laborer?* The labor of the

latter is his estate,—as the land of the landlord, and the money and skill of the farmer are theirs respectively; and if the farmer is to be specially protected by law in *his bargains*, the laborer has fully as much right to similar *protection*. His claim is perhaps even stronger, because of his greater poverty and helplessness. That he needs such protection, (if it is to be given to any class) is unhappily, not to be denied. No one at all acquainted with the country, and the relations subsisting between its agricultural classes, can hesitate a moment to acknowledge that there is a very large amount of petty, but very cruel tyranny exercised upon the mere laborers; and that however head-landlord, his agent, or the much assailed "middleman" may conduct, or *misconduct* themselves towards their immediate dependents, the cases of tyranny and oppression on the part of farmers and direct tenants towards their subtenants, and especially their hired laborers, are sadly numerous, and incontestable.

It is very significant that there has not been found, among the roarers of the Tenant League, a single *Boanerges* to advocate the claim of the laboring class to at least as much protection in their dealings with the farmer, as may be given to the latter in his dealings with the landlord. If the State determine that interference is necessary to repress injustice on the part of the landlord, it would seem very inconsistent to allow equal or greater injustices to proceed unchecked at the next point of the social scale. But this inconsistency is tacitly accepted and adopted by the Tenant-League. They pretend to be fighting the cause of the people, when in truth and fact they are only fighting for the objects of one class among the people—the farmers of Ireland; and are ready, for the sake of the latter, to encroach, not only upon unjust assumptions of power by the landlords, but upon the landlord's merest and most undeniable rights, and equally to sacrifice the interests of the laboring classes.*

The evil of the precedent to be established in attempting, by State interference, to regulate prices between landlord and tenant, would not stop with the raising of the dangerous question of similarly interfering to regulate the wages of agricultural labor. The legislature would be instantly besieged by the claims of other departments of industry, for a like intermed-

* The secret lies in the fact that the laborers cannot buy the "Nation" or "Tablet," and the farmers can purchase either or both. Ed.

dling. The cry would be; "you are interfering between purchaser and vendor—between employer and employed in the country. Be just then—do equal justice to us, and lend us your aid by law to make our bargains also." The precedent will be undeniable. The example will be patent and multifold. The demand will in truth be irresistible. And thus we shall see—if the bill of the Tenant League shall pass—if it be *possible* that *such* a bill *could* pass—the old exploded and disastrous expedients for regulating prices, wages and all contracts between man and man,—by other than the natural and solely legitimate process of free mutual agreement,—inaugurated and set a going once more, once more to breed confusion, contention, disappointment, and ultimately a widely destructive, murderous and ruinous Social War.

The anomalous character, or (to use rather a plain but a very expressive, and really in this case a very appropriate word) the *monstrocity* of the legislation thus proposed is consistent throughout, in minor as in larger matters. Section 1, allows the tenant to claim either under tenant right, or under the arbitration and valuation-clauses of this bill; but no option is left to the landlord. *He* must be prepared to meet the claim for compensation for improvements under whichever alternative the tenant may please to select.

Conacre lettings and sublettings are excluded from the protection to be given by the League Bill, under sections 2 and 11:—although every one who knows Ireland must be aware that these are practices of old standing, and deeply rooted in the habits of the country; and in truth inevitable, or, to coin a word, *unpreventable*, when the pressure of population comes upon the land-market. The provision against subletting tends strongly to confirm the impression deducible, as we have already remarked, from other parts of the Bill, namely, that it is simply and purely a farmer's bill; to give *them* advantage, at the expense of the classes above and below them.

By clause 8, as before remarked, the landlord must bring proof against the tenant's claim for improvements before the tenant need substantiate the claim.

By clause 12, a tenant is free to erect what buildings he likes, *no matter how unsuited to the farm*; secure that even though the arbitrators, or valuators, shall declare him not entitled on leaving his farm, to compensation, either by reason of their unsuitableness, or of any *other* circumstance whatever, (including, of course, circumstances *disadvantageous to the holding*,) he still may remove all the materials of those build-

ings, without being subject to any penalty or action for waste or dilapidation.

We have now to note the changes and shiftings of plans and provisions, which go so distinctly to prove that there is much more of popularity hunting and private objects at the bottom of this agitation, on the part of at least its noisier advocates, than of well considered and soundly based legislation.

In their initiatory Committee, of the year 1850, the Tenant Leagers declared, amongst other things, that :—

"Valuation of Rents must be distinctly included in any measure to be approved of by this Committee. Nothing on account of improvements made by Tenants is to be included in the landlord's Rent." That is to say, that although the Landlord supplies the raw material, or rather the material in a certain stage of preparation, in supplying *the land* that is to be operated upon, he is not to have *any* share in the profits of the finished article! This is a principle that would scarcely be listened to for a moment in any other department of industry; nay that has had no parallel in the demands even of Trades' Unions and Committees of "*strikes*" in manufacturing districts. "No lease or written agreement for a holding shall be disturbed *save at the request of the lessee or his assigns.*"! That is to say, that leases and agreements are to be binding upon Landlords, but *not* upon tenants. And to this it is added, that on the tenant taking it into his head to compel such revision of the original agreement and a new award being made, he may, if *dicontented* with the new award, elect to *go back to the superseded agreement*, while all the time the landlord is left without any power of redress! "The Board of Guardians for each Poor-Law-Union shall be empowered to procure, when required, portions of land to be divided into lots; for the purpose of allocating the same to farm-laborers." This last sapient proviso to which we shall presently make another brief allusion, was, on a second edition of the "programme" or "resolutions" of the initiatory Committee, resolved into the glorious vagueness of a recommendation, that "it be a recommendation to the League, when arranging the affairs of the tenant farmers, to *have regard* for the interests of the laboring classes."

Let it be here noted that the League agitation did not far progress after this, when point after point of their initiatory programme was quietly dropped, or mystified and refined away to nothing, amid a cloud of wordy explanations and qualifications, (notwithstanding it had been declared "essential,") with the single exception of "*Valuation,*" which certainly *was* retained and set forth in the earlier editions of the so-called "Sharman Crawford's Bill."

The "*Allotment*" system started at the end of the programme of the Committee of 1850, is the same, in substance, as that tried and universally condemned in the English Poor

Law Unions, at various periods, and in different shapes, during the miserable and melancholy history of Poor Laws in England. We need not delay to discuss it, as it evidently was merely thrown in at the beginning of the agitation, as a kind of *sop* to the laborers; under the idea that a claim would be made on their behalf. Since then it has utterly disappeared from the public documents of the League, and has never once been advocated at their meetings.

But what is to be thought of the steadfastness of the League-notabilities, when we find that even "Valuation," the principle upon which they based their scheme as a whole—the *great* principle, as they boasted, of their movement, is actually in a fair way of being also abandoned! Yet that such is the case, we shall have presently to quote irrefragable evidence!

Meantime we have arrived at that portion of our subject when the occurrences of last Session of Parliament in the matter of land legislation come properly under review. Mr. Sharman Crawford's Bill, or the thing *which went by the name* of that respectable gentleman, we have already noticed. The qualification just made is not without its significance. The Bill in question was undoubtedly adopted by Mr Crawford; and he acquiesced in its being popularly called *his* Bill. Not many men will refuse that which gives them distinction in public, no matter how temporary or how incorrect of application; in truth the Bill had little or nothing of Mr. Sharman Crawford's antecedent projects in it, and embraced provisions as entirely new to him as to the sober-minded friends generally of a speedy settlement of the land question. It was a hotch-potch in which several *têtes montées* from various parts of the country, from districts in Kilkenny county, in Limerick county, in Clare, Meath, Down, Antrim, &c., aided by men who wanted to sell their newspapers, and men who wanted to get into Parliament by hook or by crook, threw in each his little crudity, without regard to anything but to having a finger in the pie, and the result has been indeed, what in vulgar parlance is understood by, "a mess"!!

Last session "began," in parliamentary phrase, in November of the year before last. On Monday, the 22d of November, 1852, Mr. Napier, Q.C. member for Dublin University, and at that time Attorney-General for Ireland, under Lord Derby's Government, brought forward what were to be considered the propositions of that Administration for amending the law

between landlord and tenant in Ireland. He commenced by quoting the late Sir. R. Peel on the necessity to Ireland's prosperity of an amelioration of her law of tenure; and then stating his own opinion, that Ireland imperatively required for her welfare, the "adjustment of the long vexed land question." He then recapitulated the testimonies of the poet Spencer, of James the First's Attorney-General in Ireland, Sir J. Davies, and various subsequent authorities, as to the miserable and oppressed condition of the Irish small landholder in their time, and showed how the traditions of their days were facts, even in our own.

"Up to the present time," he said, "the vast proportion of the land there was occupied by tenants at will, having no security whatever for their industry or enterprise, and consequently in a position befitting the idle and improvident man, but altogether unjust to the honest and earnest cultivator. Altogether neglected by the absentee proprietor, ground down by the middleman, living—if living—from hand to mouth, utterly uncertain and insecure in his holding, the occupier of land had lived wretchedly on his few acres, and when the first storm arose—when the first calamity occurred at all beyond the ordinary condition—wholly foundered. Hence the people had never improved—the country had never prospered."

We had quoted thus far from his speech of November, 1852, with the foregoing and other startling confessions and admissions—startling, and hopeful also, when coming from an Irish Conservative bound up with the landlord party, when the Dublin morning papers of 29th and 30th December reached our hands, with Mr. Napier's own exposition of his measures, and *his* version of the history of the Landlord and Tenant Debates of late years. The fairest course towards him and to our readers will be to abstract the chief facts and points, and then to place in contrast Mr. Sharman Crawford's very recently published version of the same little history. Mr. Napier states:—

"I have never admitted the claim of a tenant in arrear of rent, for compensation for improvements which possibly may have been made with his own capital . . . My bill gave no claim save to a non-defaulting tenant, and to him not until the landlord brings an ejectment. When I entered Parliament in 1848, I was put on a Committee on Sir W. Somerville's Bill for a settlement of this (the Land Question) subject: a unanimous anxiety to secure bonâ fide tenants was manifested, and before the end of the Session we got through many clauses . . . In 1850 the Government re-introduced the measure that had passed

through Committee: but without powers to persons with limited interests to make beneficial leases and agreements sufficient for securing compensation to tenants. It professed to deal with 'compensation' not only prospectively, but *retrospectively* in reference to a limited class of claims..... Nothing further was done till 1852, when Lord John Russell explained the delay by saying his Government had thought the bill of 1850 enough; but that it had failed to appease clamour. Several leading members urging me to the task I consented to take up the question. Sir R. Peel in 1845 had attempted it on the recommendation of Lord Devon's Commission, and continued the bill in 1846, till he left office. Every leader, including Lord G. Bentinck, had by that time given assent to the principle of compensation. (Hansard, 3rd Series, vol. 123, p. 1532—4.) My Leasing Powers Bill went to enable such leases or contracts to be made as would encourage improvements. It did not propose to give any period of possession as an absolute right: but fixed certain periods as sufficient to exhaust the claim for compensation:—the second part of my bill providing that these agreements should be sufficiently binding without disturbance to any of the other arrangements of the tenancy; or altering its nature or special conditions. As regards Tenant compensation—the *future* difficulty would be greatly reduced by *express* contracts, and diminished competition. As to *retrospective* compensation I at last thought there might be a safe qualification. Under this, buildings of *every* kind erected by tenant of his own will and by his own money were to be his, subject to pre-emption by the landlord at a valuation, or by a new tenant. An amicable valuation is provided...Should the tenant have no more than the right of removing the materials?—and no pecuniary compensation be given, where the buildings are suitable and add to the value of the land? The last poor law and the 'valuation' act of 1852, excluded certain improvements from valuation; and I thought that it would be well first to take those specific improvements that the legislature treated as proper to be encouraged: 2ndly, by fixing a period of enjoyment of them: 3rdly, allowing no claim save on ejection without tenant's default, and then only the value of the residue of the above fixed period, and not to exceed a fixed maximum: 4thly, securing execution of proposed improvements and ascertaining their real value; 5thly and lastly, by giving the Landlord the option of assenting to, and making a contract of the tenant's proposal, or leaving it to the tenant, and not disturbing his possession without sufficient cause; or bringing the matter under my Land Improvement Bill....In committee my plan in the 'Leasing Powers Bill' for a compensating period in the case of buildings, was objected to; with a suggestion that the *'actual value'* with some restrictions, should be taken. The subject of compensation was divided into two classes, viz., *On the soil* and *In the soil.* For the first class, a *'compensating period'* was rejected; but a contract allowed for *pecuniary* compensation where the buildings were *'suitable.'* The Tenant's 'Compensation' Bill included such buildings, farm roads, and external fences. The other subjects of compensation were eliminated, as it was thought they were met by the provision for express contracts under the Leasing Powers Bill. The *Fixtures*

clause of the Tenant Compensation Bill has been preserved and transferred to the Landlord and Tenant Bill. As to the Tenant Compensation Bill, the Government measure was, I thought, open to much greater objection than mine, for which it was substituted .... I am bound, however, to add, that I never could find sufficient reason to anticipate the peril to property which others apprehend from this Bill."

So far Mr. Napier,—whose statement we have been obliged very greatly to compress: but think we have not done so with any unfairness, or injustice to it, or to him.

To his measures, the Tenant League in their report of June 15th, 1853, objected; but still more so to the Government measure of which they made the following complaints:

1st. It ignores TENANT RIGHT. (On this it may be said, that the League's own Bill *practically* does the same.)

2nd. It gives no continuation in occupancy until compensated.

3rd. It gives no protection against rack-rents on Improvements, nor for assessment and valuation of rack-rent arrears.

4th. And whereas Mr. Napier gave compensation for, 1st. Newly made, or enlarged buildings *suitable to the Farm*; 2ndly, Reclamation of wast, land; 3rdly, Main drains and Irrigation; 4thly, Clearing stones; 5thly, Fencing; 6thly, Power to remove materials, the Government Bill restricted compensation to the stone and mortar buildings—reclamation of waste land and fencing.

The League further complained that the Government Bill limited compensation for existing Tenant Right to four years, and permitted no compensation to be claimed till *after* ejectment.

Mr. Sharman Crawford's synopsis of the later history of the land question in Parliament, appeared in the papers in November, 1853: but is of such length as to preclude the possibility of any thing like literal quotation, even of portions of it, or of any "abstract" of moderate dimensions.

He expresses himself favorable, under all the difficult circumstances of the case, (and in fact, under the *present impossibility* of getting a better) to the Government measure for *"Tenant Compensation;"* the same which Mr Napier speaks of as having supplanted his own; and being passed through the Lower House last Session, was lost in the Lords. He notes several improvements in it assented to by the Government during its passage through the Lower House: in the abandonment of the limit put to *"Compensation"* in the first draft of the bill; and the substitution of the words "due regard to be had to the length of

enjoyment of improvements, the present value of the same to the holding, the expenditure actually made by the tenant, or those under whom he derives, and the other circumstances under which the improvements were made." On the whole, while of course strongly recommending further changes in the interest of the tenant, and arguing for the adoption of several of his own clauses in his former bills, he concurs with Sergeant Shee, his present *Deputy* in Parliament, in recommending that the Government measure, if re-introduced, as it is likely to be next Session, should be taken, even with all its imperfections on its head, though taken, as before remarked, only as an *instalment* of justice.

We have already stated that the Bill which for the last two years has gone by his name, is in truth not *his* Bill at all, but a concoction by others, in which his ingredients are only a portion of what has been thrown into the boiler. He, therefore, in agreeing to accept, even temporarily, the Government Bill with its omission of the "Arbitration and Valuation of Rent" clauses; and those which went to establish a kind of "*Fixity of Tenure*" for the Tenant, is not inconsistent, nor backsliding. In none of his former proposals, varied as were these, did he broach the two points in question. He therefore remains as before, without the slightest inputation upon his faithfulness to the cause of the tenant:—that cause which he has so evidently at heart; as distinctly and irrefragably proved by his admirable *practice* towards his own tenants—and proved far better than by the varying theories which he has, from time to time, endeavoured to shape into a law.

Not so the leaders of the Tenant League. The most arrogantly intolerant, and prompt to condemn, and utterly to reprobate others when hesitating for an instant upon the extravagant pledges it pleases the leaguers to demand, they are themselves not a bit too stedfast when it suits a purpose of the hour to vary; and in the matter of the leading provisions of the so-called "Sharman Crawford's Bill," which they swore to all their Gods to maintain, they have most notably recalcitrated. "Valuation of Rents," and "Fixity of Tenure," were the great points to be maintained: yet these, according to the unimpeachable testimony of Sharman Crawford, Rev. Mr. Redmond and others, in addition to the plain testimony of facts, they quietly slurred over last Session.

A very amusing instance of this shifting and qualifying tendency was made patent at what was pompously denominated,—"The Second Annual Conference of the Tenant League," in October last. Mr. George Moore, M. P. for Mayo County, who, with all extravagancies and intemperances, has yet far more of appearance of principle and steadiness about him than the others, had rather perseveringly objected at the preceding "*Annual Conference*" to the stringent character of the "pledges" there proclaimed. Of these pledges the most conspicuous was, a pledge to insist on "*the full-measure*" of "*Sharman Crawford's Bill.*" Mr. Moore sensibly objected that there might be contingencies in which a little latitude and freedom of action in these respects ought to be permitted to the Irish members. The decision of the Conference was against him upon that occasion.

In October last, he opened the proceedings of the then Conference, by alluding to this circumstance and showing the inconveniences of it; and in the course of his speech well displayed the inconsistency of Messrs. Lucas & Co.—We quote from the Report of the proceedings given by the *Tablet* itself, in its number of the 8th of October, 1853.

"Mr. Moore, M. P. said he thought it his duty to his constituents, himself and the conference, to explain his own somewhat remarkable absence during the discussion of the Land Bills in Parliament. Last year he had stated he entertained a very great objection to the pledges then proposed and to the terms of those pledges, and had bound himself to them not without great reluctance. His objection was simply this, that in the progress of the tenant cause a period might arise when a strict adherence to these pledges would be inconsistent with his duty to the tenant farmers, and he foretold to Mr. Lucas that a bill would ultimately be brought in not embodying anything like the *essentials of Crawford's Bills, and yet one which under all circumstances it would be their duty to the tenant farmers* to support. Mr. Lucas said he *saw nothing in the pledge to prevent his voting for such a bill, but he, Mr. Moore, told him he understood the pledge differently. He would not say that such a contingency had arisen, but unquestionably bills were brought in not embodying the essential principles of Crawford's bills or anything like them, yet bills which men in whose integrity and devotion to the cause, and in whose judgment and ability he had the highest confidence, thought it right to support.* In saying that these bills did not embody the essentials of Crawford's bill or anything like them, he was not taking a mere verbal or pragmatical view of those conditions. ..... He could not by any effort of his mind conceive that he could in consistency with his pledge support bills as containing the essentials of Crawford's bill out

of which one of two most essential conditions had absolutely dropped, and in which the other was so mutilated as to become of very little benefit to the farmers "....." If he could bring himself to believe that these bills would be regarded as instalments of justice to these tenant farmers, he might take a different view of these pledges; but taking a practical view, he could not disguise from his conscientious convictions, that whatever bills passed the legislature with their consent, would be considered a durable and permanent settlement of the question.....Had he *not bound himself by a strict pledge*, he would have taken the same course that his honorable friends had pursued."

Mr. Lucas did not attempt to contradict, or explain away the conduct here imputed to him, and his other pledge-taking friends. Indeed, in his own paper, some ten months before, he had broached a doctrine of the same tendency, in what certainly seems a very decided opposition to the pledges given and taken in public.

"I think it necessary to make it clear that we are not only willing but anxious to meet in a kind, *friendly, conciliatory* spirit, whatever fair and *reasonable* treatment we may receive from the *present, or any other*, Government. Unless we do this it is impossible that *any* government *will hold communication with us*; or care to give us *any* satisfaction whatever. Our business is to be in opposition to any government that will not do justice to Ireland; but *it is not our business to oppose them in every way reasonable* and unreasonable, just or *unjust*." (*Tablet, December* 11, 1852.)

Very sensible doctrine this; but not quite consistent with the Pledges, "to offer opposition to all governments that do not make it a part of their policy, and a CABINET QUESTION, to give to the *tenantry of Ireland a measure* FULLY EMBODYING *the principles of Sharman Crawford's Bill.*"

It does appear to us that the conduct of the Tenant League chieftains is deserving of very grave reprobation indeed, when we consider, on the one hand, the professions they make and the professions and pledges they induce others to adopt; and on the other, the manner in which they act themselves when they find those pledges inconvenient. During the autumn of 1850, and a considerable portion of the succeeding year, they, as it were, convulsed the chief agricultural districts of Ireland with a fiercely energetic agitation, in the progress of which certain speeches were delivered in various country localities, that went directly to excite the wildest and most subversive sentiments in the minds of the people. The original rights of man, or what were said to be those rights, at the very

foundation of society, were evoked; and in some cases a direct and immediate recurrence to them was openly advocated, to the destruction of the whole present framework of the social state, the growth of ages, and the production of complicated interests, which enlace the whole community in their widely spreading involutions. A banner was raised, under which for one honest, industrious, and innocent sufferer from landlord injustice who took refuge, half a dozen, or more, of fraudulent or idle and worthless tenants took care to assemble, and had their aid accepted, if not courted. And extreme pledges were advocated, such as dishonest representatives readily swallow, and as easily break, while true men are thereby deterred from coming forward; not being willing, or not thinking it conscientious to bind themselves hand and foot to a course, the ultimate good result of which is most problematical; while the immediate and inevitable operation must be, and *has been* (with those who are *sincere*,) to prevent their meeting a fair offer, and has also prevented the smoothing down the difficulties in the way of an amicable, and generally sufficient settlement of the difficult and dangerous question in agitation.

We have seen that those pledges to which the leading Leaguers seek to hold public men, as to the laws of the Medes and Persians, are lightly enough considered by themselves, and interpreted in their own particular cases with most convenient, but not very creditable laxity.

We regret much to have to charge not a little of this recklessness, to use the mildest word, upon the more respectable and moderate, as well as the more merely *adventurer*-portion of the Tenant League chiefs. Mr. Sergeant Shee, a gentleman whose antecedents were all of extreme respectability, and who held a fair name as a lawyer and a man of sense, has allowed himself to be dragged through the mire in this agitation; and sanctioned by his presence at some of the meetings to which we have alluded, and by at least a tacit approval, as well as by companionship with the men that uttered them, the dangerous doctrines there poured into the too-ready ears of the excited people; and he has deliberately and repeatedly pledged his reputation as a lawyer and as a statesman, to the perfect soundness and rightfulness (according to him), of the communistic, and so far as good is concerned, the *hopeless* theories which formed "*the essentials*" of what was called "Sharman Crawford's Bill!"

No doubt he is at this moment, in the true League spirit,

attempting to qualify and explain away, and trim off certain awkward angularities in the *scheme* which he finds protrude a little too far, to allow the chance of a passage *for the smoother* and more insidious provisions. But his present moderation, though certainly better than high-handed perseverance in a flagrantly wrong course, cannot repair the breaches in his public repute, as a legislator and a citizen, which he himself inflicted with his eyes open, for the purpose, according to his *apparent* motive, of getting somehow, or anyhow, into Parliament.

Instead of diminishing as we advance, the difficulties of treating our subject within reasonable compass are multiplying. The direct cause is the rapidly multiplying number of enormously long documents upon the subject, which are loading the columns of the newspapers. Mr. Lucas and his Conference, Mr. Sharman Crawford and his Northern adherents, Mr. Sergeant Shee, Mr. Vincent Scully, M.P., and the Rt. Hon. Joseph Napier, Lord Donoughmore, &c., &c., have each and all, in turn, and some of them several times over, put forth manifestoes, reports, explanations, and soforth, of most alarming dimensions, until at last the subject itself upon which they write, and which they all profess to make clear, bids fair to be obscured and lost sight of altogether, beneath a cloud of words.

Under these circumstances, and seeing the impossibility of including in our pages, even an abstract of the over-lengthy and apparently interminable discussion, we must content ourselves with giving the reader a general idea of the points upon which, so far as it is possible, through all the wilderness of words of which we speak, to make out *any* points, the discussion turns. Let it be remarked, in passing, that no stronger proof can be given of either (if not *partly both*,) of two things, viz.:—The extreme difficulty of the subject; or secondly, the want of real comprehension of it by the writers.

Section X. of the "Tenant Improvements Compensation Bill," which passed the Commons, and went to a second reading in the House of Lords last Session, provided that if any landlord or owner, after the registration of the declaration provided for in a previous section, (Section VIII) to be made by a tenant who had executed the improvements contemplated by the Bill, should take the *usual steps at law* to eject the said tenant from his holding, the tenant should have the right, *save where the cause of ejectment was non-payment*

of rent, or breach of any of the conditions of holding contained in the original lease, or agreement, to proceed against his landlord for the amount of compensation to be ascertained due to him for his improvements.

The words we have underlined contain the chief matter of disputation at this moment. It is argued on the one hand, that the power and right of claiming compensation should be absolute, and not conditional upon the paying up of perhaps an exorbitant rent, or the strict observance of the numerous and often impossible conditions, with which the crotchets of landlords, or the mischievous ingenuity of agents have clogged, in the vast majority of cases, the leases, or agreements between them and the tenantry.

A bye battle grows out of this; one portion of the Tenant Leaguers charging the other, with having wilfully abandoned the Tenant cause, by permitting the insertion of the proviso just mentioned, or by consenting to support the Bill as a whole, notwithstanding the retention of this proviso, when remonstrances against it had proved fruitless.

To these charges it is answered, first, that opposition *was* made; and secondly, that it ultimately seemed the best policy to take the bill even as it is. Of course, thus taken, it could only be as an *instalment;* and thus we have the *elite* of the uncompromising, no-surrender, *whole-hog* Leaguers, with their boasted repetition, year after year, of the pledge to accept nothing short of the full measure of "justice contained in Sharman Crawford's Bill," eating their leek most valiantly, and falling back on the very policy of *instalments* of justice, which they so unsparingly condemned and held up to public reprobation!

There is a rather humerous phase of the ways in which the every-day work of Legislation is actually carried on in the House of Commons, in the little history of the proviso we have been considering. According to Mr. Vincent Scully's latest statement, one certainly remarkable among the crowd of documents of which we have complained, for its rare merit of briefness and lucidity, and a statement too that there cannot be any reason for a moment to doubt, this proviso was first struck out of the Bill, then re-inserted, then struck out again, then re-inserted, then *struck out again,* and finally, on the third reading, at a moment when the flagging attention of the House was being altogether withdrawn from a Bill with which

they thought they had done, the proviso was re-established, and the Bill sent thus to the Upper House!

Such an occurrence is indeed not more rare in Parliament, than another matter of serious annoyance to Mr. Scully, mentioned in his letter—viz., the incoherent, ill-judged, ill-placed, random amendments which the League members *fired off*, as it were, during the progress of the Bill in Committee. Persons unacquainted with the management of affairs in Parliament, complain grievously of the difficulty that always seems to attend the bringing into execution of a new law, and the objections that judges and lawyers ever appear inclined to start. But the wonder vanishes at once when there is any experience of the rambling, shambling, chance medley manner in which Members of Parliament, utterly ignorant of law, force unexpected, and often all but incomprehensible, amendments upon the mover of the Bill under discussion.

Returning to the proviso we find that the representatives of the Landlord class seem determined to insist upon its retention under any circumstances, and even if it be retained they do not by any means pledge themselves to the Bill. The battle of next Session will then begin upon this proviso, in all present likelihood, and according to the decision taken upon that, the general color and fate of the measure to be finally passed, may be predicted with tolerable certainty.

The other points in the general melee of the present newspaper discussion are: Firstly, the objections made by the landlord advocates to giving *retrospective* improvements a scope greater than that of a very few years back. The measure that went up to the Lords did originally limit what is called "*retrospective*" compensation to a very small number of years; but all limit in this respect was subsequently abandoned, greatly to the alarm and indignation of the advocates in question.

Secondly, the limitation, or otherwise, of the classes of improvements. This point has been touched upon in an earlier part of the present paper.

We have now laid before the reader abundant material for coming to a judgment of his own upon the agitation, in and out of Parliament, upon that most difficult and delicate of questions, the relation between Landlord and Tenant in Ireland. There remain for our consideration but the less blated schemes that have, from time to time, been talked of, or written about; and with these we shall now proceed to deal.

A "compulsory leasing" bill is one of the alternatives that have at various times been suggested, when the difficulties inherent in any sketch or project of an "Improvement-Compensation" measure have appeared to be hopelessly accumulating. Under this plan the landlord would, as the above general title goes to indicate, be compelled to give leases of more or less duration, in every case of existing or proposed tenantcy; and for a period of at any rate more than seven years.

A milder, and more preferable form of legislation for this object, was contained in a plan not a little spoken of about ten or fifteen years ago; whereby it was proposed to be enacted, that no process for recovery of rent should issue save in cases where the defaulting tenant held under lease.

This latter plain has infinitely more to recommend it—more of feasibility and rationality about it—than the other crotchets of the many quack advisers, who have taken the case of the landlords and tenants of Ireland into their considerate care. "No rent recoverable save where there is a lease" is, at any rate, a clear, comprehensible, and practicable suggestion; not involving the infinite, and infinitesimal litigation that is, and must inevitably be inherent in any system of "Tenant *Compensation* for Improvements." We have before, with sufficient fulness, endeavoured to direct attention to the certainty, and extent, and minuteness of subdivision of this litigation; but it really cannot be considered a useless repetition just now, when the discussions of last Session are being hotly revived, to recapitulate upon this point of immediate interest, and of most grave importance.

First, the parties—both landlord and tenant—must either between themselves, or by the intervention of a tribunal, which both will have to *pay for in money*, and, (by their attendance) *in time*,—decide whether the improvements to be adjudicated upon, *are improvements within the meaning* of the Act or not.

Second, were they necessary, or superfluous?

Third, were they made solely by the Tenant, or by the Landlord, or did both contribute; and if so, in what proportion respectively? This enquiry will thus be *fourfold*.

Fourth, in the case of prospective—(i.e., after the passing of the "Compensation" Act.) improvements, were the proper forms observed, and the required notices, &c., duly given?

Fifth, what is the value of those improvements; and if the

Act provide that the Landlord shall, under certain circumstances, be allowed some advance of rent,—(a thing sure to be insisted upon, as he supplies the material for improving—viz., the land,)—to what amount of increase is he to be limited?

In addition to the delays that the plainest and briefest dealing with these difficult questions, and others that may incidentally arise, must occasion, there are the more formal and technical delays—viz.:—the notices to be served of the intention to claim for improvements—the mutual notices as to arbitrators, referees, and umpires—the notices to produce documents—the notices of intention to appeal, and the repetition of all these toils and troubles in bringing the appeals to a hearing and decision!

To any one at all conversant with the details of country dealings and transactions, it is unnecessary to add one word to point out the many "traps" for either party, that must necessarily beset a measure involving such intricacies; or to obtain their acquiescence in our strong conviction, that although the spirit of *litigiousness*, which is already only too prevalent, and which such a measure would inevitably vastly stimulate, would prevent men from listening to reason and settling their disputes by private agreement, yet that when the heat of the contest was over, *both* parties,—the *successful* as well as the unsuccessful—would deeply regret the day they ever sought the "benefit" of the "Compensation for Improvements Act."

The plan of simply denying means of recovery of rent where the landlord withheld a lease, could not breed litigation or delays. The fact of "no lease" would be at once ascertainable; and the evil itself would soon cease in a great measure, if not entirely, to be operative; as landlords would speedily give leases in order to ensure the recovery of their rents.

This brings us to, and opens out before us, the general question of leases. If made a prevailing, or in fact universal, system by positive enactment, it would be like nearly all the plans proposed for "Land Reform," a very considerable interference with that liberty of private arrangement between man and man, for which writers on political economy argue. We will not stop to discuss the point with them, and ascertain if they have considered the very grave drawbacks which competition for land, and deficiency of employment in other departments of industry besides the merely agricultural, necessarily occasion

to that "*liberty* of contract between man and man," which is such a sounding and rather hacknied topic of these writers: we would indicate an objection to a cumpulsory leasing act, upon a ground more immediately practical and cognizable by the hastiest, and most mystically abstract philosopher.

During the running of a lease the tenant has three points especially, on which to keep fixed his attention and his energies. He has to make his farm more productive than when he received it; in order to make the surer and speedier his own repayment for the annual outgoings, he has to secure the longest and fullest enjoyment at the increased value, while yet it is impossible, by reason of the subsisting contract, for his landlord to demand an increased rent,—and finally he has to take every practicable means to insure that if he do not succeed in getting a renewal of his lease at the expiration of his term, he shall carry with him as much of the realizable value as possible, of that which he added to the worth of the holding, and not find himself in the predicament of having, by his own industry and enterprize, injured or destroyed his own chances of renewal, and in fact tempted the cupidity of his landlord.

Now under any "leasing" system, cumpulsory or otherwise, which does not go the length—the *impossible* length of also *enacting renewals*,—the insecurity in which the incumbent tenant, or actual lessee, as the lawyers call him, necessarily feels of being continued in the holding that he shall improve—or if continued, at anything like a moderate amount of new rent, must operate, and in consequence of the unhappily too general experience of injustice in such cases, *does* very grievously operate, to make him at best careless of the soil during the concluding portion of his tenantcy. During the first portion of the tenantcy he improved—expending both money and labor. During the second he enjoyed. As the third draws on he has become uneasy—feels his own insecurity—dreads dispossessment—and accordingly sets deliberately about exhausting the land of the increased value he gave it; or at best ceases to care its cultivation.

Inevitably then, this insecurity of his leads to his own loss —to loss on the part of his landlord, and to loss to the country, as anything which tends to check careful cultivation and improvement must of course be a loss, not only to individuals in the agricultural class, but from the chain of mutual dependence that binds individuals and classes together, must be an injury to the country at large,

Is there then no plan which, while it would secure the landlord in his rents, would also secure the tenant in his improvements—and give him a legal claim for them to the very end of his tenure, without producing all the petty, intricate, dilatory and damaging litigation, which the schemes of "compensation for improvements" necessarily bring with them?

In our mind there is—— is *still* to some extent, and was to a greater—a system, *in practice*, and in practice for *many years*—which accomplished all three of the requisites indicated in the query just set down.

We are not committing ourselves to this scheme—let us premise ere entering upon its details—we are not pledging ourselves, and of course not pledging the IRISH QUARTERLY REVIEW to this, or to any other particular method or proposal, for dealing with the great difficulty of the day, the Irish Land Question. Our object, as already stated and repeated in this paper, is, to supply the reader with material to form his own judgment; and in pursuance of that object, we now proceed, after having, we trust fairly, and with sufficient fulness, considered other plans and systems—to deal with the actually existing and long practised custom of 'Tenant Right' in the North of Ireland. We shall state its nature, its recommendations, and the objections advanced against it:—not at all fearing an impeachment of our candor for having already asserted, that which we shall proceed to show is admitted by the enemies as well as the friends of the northern tenant right, viz., that it secured the Landlord in his rent—the Tenant in the value of his improvements, and accomplished both those ends without ruinous delays and litigation.

Mr Wiggins, whom we have before quoted, thus describes this custom, in his book on Ireland, published ten years ago:—

"This custom called 'The Tenant Right'—is for the tenant to sell his interest or goodwill in the farm, although he may have only a yearly tenure: and he introduces the purchaser to the landlord, who is usually accepted as a matter of course. The terms of transfer are often high. They vary from five to fifteen years—but usually under ten years' purchase on the rent; and a tenant at will, in Donegal, sold his interest in a rent of five shillings per annum for forty pounds, although the purchaser was apprised of the previous intention to raise the rent to forty shillings a year. Many circumstances have contributed to the establishment of this custom besides the rebellion of '98. The necessity of the case arose out of several considerations, viz —the general practice of landlords not to give leases; the tenant having to make all improvements entirely at his own expence, and even to provide all buildings, which required, during the prosperity of the weaving

employment and *linen trade*, to be very ample; the absolute necessity, since the failure of cottage weaving, for those who do not wish to emigrate, to obtain possession of land; the landlord's tacit permission of this transfer, seeing that it operated as an encouragement to improve without a lease; the difficulty that landlords found themselves under in evicting a tenant for *any* other cause than nonpayment of rent; the means often afforded by the exercise of the tenant-right to obtain payment of arrears, which of course are discharged by the new comer; the seeming similarity between this transfer and what takes place between an outgoer and incomer in England; the little intercourse of the landlord with his tenant, making it matter of indifference to him who should be his tenant, provided his rent was paid; the probability of a better tenant, and at least the fresh exertions of a new man:—all these, and probably many more reasons and circumstances, arising out of the disturbed state of society in the north about '98; the resettlement of it since; the change from a flourishing and universal linen trade to a partial, confined, and dull manufacture; the necessity, on these accounts, of attention to agriculture, as a primary object which before was secondary; all these have contributed to raise up and sustain this custom, which seems so very extraordinary to an Englishman, although on the whole it is a very useful and wholesome custom, and one founded in reason, equity, and common sense. For what is the case? a tenant takes a piece of land, usually at a higher rent than the former possessor; he supplies all the buildings, such as they are, and though low in quality, they are necessarily numerous, for, besides mansion, (as the house is here called,) there must still be barn, byre (cattle house), stable, car-shed, cottars' cabins, &c. &c., and in the village linen times, weavers' houses, flax stores, scutching mills, &c. forming altogether a little town; and supposing he did but little to the land, all this outlay could hardly be considered as entirely at the mercy of the landlord, although no lease secured it to the tenant. Legally, IT WAS at the landlord's mercy, but equitably, *i. e.*, in MORAL, as contradistinguished from LEGAL EQUITY, it was not, and the mind of men would have revolted at such a power being assumed. Thus, how true it is, that 'law is,' (or ought to be) 'the perfection of reason;' and when it is not so, from local peculiarities, the usage of mankind will "rectify" it to the reasonable point. The tenant-right has grown up from a mutual sense of justice from man to man; and I heard one of the best landlords in Ireland speak of it with approbation. There are, however, some drawbacks upon its general good-effects, inasmuch as the payment tends to cripple the new tenant, and it brings on the estate a stranger, who may not be acceptable to the landlord."

Other writers upon the custom of *Tenant Right* in the North of Ireland, assign its origin to different causes and different dates. One, and a very probable theory, makes it remount to the times of the Revolution-Settlement in Ireland, viz., the concluding decade of the seventeenth century. William the Third's followers, and the Scotch and English colonists who, then and afterwards, settled on the

forfeited lands of the Catholics, were much too sturdy men to consent to step exactly into the customs of the native yeomanry, and agree to hold their lands at will, or on an insecure tenure by lease. They insisted upon a security of a more permanent and enduring nature, and their settlement in Ireland, and the conciliation of their support to the new order of things, were objects of paramount importance to the Revolution Government; and the custom of "Tenant Right," as thenceforward practised in the North, even down to our own times, was the method devised for satisfying their requirements.

Such is another account of its origin. There are still further variances of story on the subject; but we have so much more to do with the *actual practice* of the custom than with speculations about its origin, that we must leave our readers to seek further information for themselves upon the latter, if they feel any further curiosity.

The late Mr. O'Connell drew up a report on this subject, which was published in April, 1845, which contains the following statements:—

"That it appears from the Report and Evidence of the Devon Commissioners, and of the Committee on the Townland Valuation of Ireland, that throughout the greater part of Ulster the practice of Tenant-Right prevails, and that along with it are found industry, comfort, and peace. * * That according to the practice of this right, no person can get into the occupation of a farm without paying the previous occupier the price of his right of occupation or good will, whether the land be held by lease or at will. That on the ejectment of any occupying tenant, he receives *the full selling value of his Tenant-right, less by any arrears due to the landlord*; but this does not extend to middlemen.

"That the same custom, unrecognised as it is by law, prevents the landlord who has bought the Tenant-right, or otherwise got into possession of a farm, *from setting it at such an increase of rent as to displace Tenant-right.* Thus, middlemen are almost unknown, and *the effect of competition for land is principally to increase the value of the Tenant-right, not the amount of the rent.*

"That *Tenant-right exists even in unimproved land, and that five years' purchase is an ordinary payment for the Tenant-right* of such land, while fifteen or twenty years' purchase is often given for the tenant-right of highly improved farms.

"That, nevertheless, this right is regarded by many of the

present landlords of Ulster with jealousy and dislike; that several of them have endeavoured to shackle and reduce this right; that some of them on the borders of the customary counties, have tried, with success, to abolish it, and that *'it is in danger'* [in the words of *The Northern Whig*] *'of being frittered away in course of years, and no equivalent provided in its stead.'*

"That one witness, Mr. Handcock, agent to Lord Lurgan's Estates in the Counties of Down, Antrim and Armagh, makes the following impressive statement on the subject:—

"'The disallowance of tenant-right is always attended with outrage.....If systematic efforts were made amongst the proprietors of Ulster to invade tenant-right, all the force at disposal of the Horse Guards would be insufficient to keep the peace.'" ! The following are some extracts from the general Evidence alluded to by Mr. O'Connell.

Evidence of James Sinclair, Esq., J. P., Strabane, County Tyrone, before the Devon Commission. Page 743 of the *Appendix of Evidence.*—

"19. You spoke of tenants improving very greatly, in the confidence that they shall not lose; do you think that the existence of the Tenant-right gives them that confidence, and that they look to be remunerated by the sale of it?—I am sure of it.

"21. What, in your opinion, is the effect of the Tenant-right upon the country?—It has some advantages, and certainly some disadvantages. One disadvantage is quite plain, that the tenant-right is frequently sold for a sum of money which is borrowed, and which hangs as a heavy weight upon the incoming tenant, sometimes to his ruin. But that being out of the way, I think the thing is a very valuable and useful custom.

"22. Can you give any statement of what you consider the price or value of it, compared to the years' rent or the acre?—I do not believe there would be any general rule; but within this fortnight, a man in a mountain district that belongs to myself, came for some timber to build a house. I had never seen him, nor heard of him *before; but on enquiring who he was, I learnt he had given £80 for a farm without a lease, that paid £3 a-year.*"

FRANCIS O'NEILL, ESQ. same County, (p. 764.)

"47. What, in your opinion, is the effect of the tenant-right?—I think the tenant-right has a very good effect both for the landlord and tenant, for when the tenant has a

right in his land. it makes him more punctual in his payment; when he has the interest of four, five, or six years purchase, the landlord need not lose; he may insist upon being paid; it secures the tenant and encourages him to make improvements. Upon a great deal of this estate there are no leases at all; and I have known tenants to make improvements in the confidence, that if they made improvements, they should have the leave to sell.

"48. What is the value of the tenant-right either by the year's rent or by the acre?—Generally from seven to ten years' purchase is given: some having no leases are limited to five years by the landlord. There has been a regulation made in this neighbourhood, that those who have no lease should not get more that five years' purchase; those who have leases get from 7 to 10; I have known twelve years' given where the land was well situated, and the houses in good order. If he paid £7 a year rent, he would get £70 or £100 going out; it would depend on the condition that the farm and house where in."

(Mr. GRIFFITH, government Engineer and Valuator.)

"68. I am aware of a great number of instances where very considerable sums of money have been given for what is called the tenant-right to a farm held at will; thus a tenant wishing to leave the country, sells his tenant-right to his farm to another. I have known as high as £20 an acre given for the purchase of the tenant-right.

70. Mention the counties in which you know that practice to prevail?—The counties in which I know it to prevail are, Armagh, Down, Fermanagh, Tyrone, and Sligo. It prevails to a certain extent in the adjoining counties, but not to the same extent as it does in these, as far as I am aware.

71. Can you state whether that payment has reference to improvements which may have taken place?—I believe to possession alone; in some instances it may have regard to improvements, but generally it is for possession alone.

72. In the case of a landlord resuming his land, is there any custom of making any payment of that kind?—It is usual for the landlord to pay the full amount of what the tenant could obtain from others for the tenant-right.

73. Have you observed these purchases made, even where the outgoing tenant was giving at the time a high rent?—

I have known it in the county of Armagh, where I conceived that the rent paid was a full rent, one-third abve my valuation.

74. And get a large sum is paid for the privilege of paying that rent?—It was, but much more is given for a tenant-right upon one estate than another; the amount *frequently depends upon the character of the landlord or of the family.*"

Captain CRANFIELD, Agent to Lord Powerscourt.

36.—"I think there is a manifest benefit to the tenant and in some respects to the landlord, whose rent is *always secured.* In other places a tenant threatened with an ejectment, gathers up all he can and runs away: whereas under this system such tenants are most anxious to make a settlement at once. If a tenant does go away, there are many ready to pay up the arrears. On the other hand the landlord cannot put eight or ten tenants out, and make a good large farm for a respectable person, without either breaking the custom or repurchasing his estate."

Very Rev. Dean STANNUS, Agent to Lord Hertford.

"I should wish to see tenant-right upheld. It is that which has kept up the properties in the North of Ireland over the properties elsewhere. It is a security for the tenant in the first instance, and reconciles him to much of what are called grievances in other parts of the country."

There are many other portions of the very interesting evidence upon this subject which we would much desire to quote, did space permit. But we have given enough not only to shew what the custom really is, but also the very high opinion entertained of it by witnesses quite other than partizans of the tenant-class.

It is a very grave matter—deserving of the deepest consideration—to pass altogether by, as in fact not only the Government Bill of last session, but Mr. Sharman Crawford's reputed measure practically did,—an existing, and long established, and long tried custom, to the beneficial operation of which such testimony has been borne. No sounder maxim can there be than that which teaches the true statesman, when compelled to make changes in legislation, to do so as much upon old and well recognized bases as possible; and seek rather to improve upon what he finds established, than to uproot and destroy, for the purposes of reconstruction.

The Tenant-League do indeed affect to include the custom of Tenant-Right in their demands. But their leaders and country advocates have concurred upon several occasions, in publicly declaring that they did not consider the Northern Tenant-Right as by any means sufficient; or as worth much in comparison with the crude, patchwork measure which they call "Sharman Crawford's Bill." And supposing, for a moment, that they were sincere in the casual and passing mention of the Northern custom, which is all they concede to it in their "Bill," it would be but a new proof of their inaptitude in all that regards statesmanship and practical legislation, to include two systems of land law in the one measure; viz., the system of "*Tenant-Right*," and that of "*compensation for improvements*," with the expectation that the two could possibly co-exist, or even *alternatively* exist. One or the other would necessarily come to be the rule for all Ireland.

"Tenant right" as described in the quotations we have last given, would seem to have at least one entirely undeniable recommendation about it, namely, that it would practically "*work itself*," were a law passed declaratory of the custom, as we have just stated it; and by enacting that henceforth it should be practised in all cases between landlord and tenant, there would be no need of the intricate, unwieldy, expensive and vexatious forms, inquisitions and adjudications, such as the leaguers "Bill," or even Mr. Napier's proposed measure, would inevitably and obviously require. The tenant having to leave his farm, would get the best purchaser he could; and it would have been his *interest to keep the land in heart up to the latest moment;* as thereby he would have a more valuable article to bring to market. The landlord would secure his arrears out of the purchase-money, the in-coming tenant would know that he had security for his expenditure on entrance, in the certainty he would immediatey acquire of being safe from ejectment himself, save by a similar process of sale of the holding in the market; and the out-going tenant would depart to seek his fortune elsewhere, with a fair sum of money in his pocket.

During the 140, or 150, years that it was in general practice, benefitting and enriching the counties that admitted it, no legal interference whatever, nor even any voluntary arbitration was admitted, or *sought for. The system worked itself*, and

would do so still, were it saved from recent encroachments where it has existed, and established by law in the districts in which hitherto it was unknown.

The most specious of the objections that have been made to it can be briefly stated, and as briefly met. First, it is said, that the incoming tenant is impoverished by it, and thereby rendered unable to improve. The independent and prosperous condition of the farms and farmers in the north of Ireland, where the custom prevailed, is a direct answer. If anything additional were needed, it would be enough to remind the objector that if the new tenant find he has a bad bargain, *he can sell in his turn.* And all who are cognizant of the condition of tenants under the state of things that has prevailed in other parts of Ireland, where tenant-right is unknown, will at once concede, that it would be difficult for the tenant under the Northern custom to be *more,* or *as much,* impoverished thereby, as his fellows in the other districts alluded to, where no such custom has been acknowledged.

The restriction on the landlord's entire liberty of action and disposal of his lands, is the next point most urged by way of objection, yet the evidence is distinct, that there was no impediment in the way of his obtaining a better rent from the new tenant; nor of preventing the entry of one whom he disliked. And a statutory provision might easily be made to give him power to object even to the third or fourth person presented to him for entry; with, however, a proviso in favor of the outgoing tenant, that he should not be the loser by being compelled to accept ultimately, *without compensation,* a purchaser at a lower price than the rejected candidates had offered: the only real restriction—and its benefit will scarcely be questioned—would be, that a landlord would cease to have the arbitrary power of total extermination now possessed, and too often exercised.

He would be secure in his rent, and in his arrears of rent, if any. His ground would be kept in good heart by the tenant, for his own sake, as before shown. The tenant would be enlisted in the landlord's cause against the practice "of subletting," hitherto and otherwise legislated against in vain. He would be very careful how he crowded his holding with cottiers, when he knew that in the *exact ratio of their number* and poverty, would the *selling value of his own holding decrease*; the more so as this impoverished class would, themselves, claim a "Tenant-Right" against him.

We were about to close our remarks when another pamphlet connected with their subject, and written by Mr. Scully, M.P. for the County of Cork, reached us; the pamphlet is entitled, *Free Trade in Land Explained.* The substance of it is a speech delivered by the honorable and learned gentleman himself in the House of Commons in June last, explaining a proposed measure of his, entitled, the 'Transfer of Land Bill. At page 35 of this Reported Speech, we find the following summary of the chief provisions of the measure:

"These provisions are few in number. The first four clauses propose to allow any owner of land to obtain a Parliamentary title so as to enable him to transfer his land or any portions of it, at any future period, without delay or expense. The first clause enables every landowner to apply to the Land Tribunal, to be constitute under the proposed act, in order to have his land brought under its operation; and then if the tribunal think fit to grant his request, they will direct a full investigation to be made, as to the title and the existing state and circumstances of the land; and should they find that he has a full title as owner, they then may order that the land, or any part of it, shall be brought under this act, and thenceforth such land shall remain under its operation.

"The next section declares that, when land is once brought under the operation of the act, no person shall thereafter be at liberty to embarrass it by any future settlement, or trust; or to create any of those various charges which tend to make titles to land so very complicated in these countries. This clause will not interfere with the power to grant leases: but counterparts must be deposited with the tribunal.

"The 3rd clause enables the owner of any land brought under the act, to apply to the court for an order, declaring all existing estates and charges affecting it; and this order shall give parliamentary title; and every person entitled to any estate or charge mentioned in the order, may obtain from the tribunal, a certificate of his interest.

"The 4th section authorizes any person, who is entered as owner of any estate, to have it transferred to another person, by a simple entry in the books of the tribunal.

"With regard to the *charges* on land, viz: mortgages, legacies, quit rents, tithe rent charges, annuities, judgements, recognizances, crown bonds, decrees of court, orders and rules, the 5th and 6th clauses direct them to be converted into one simple class of

charge, to be called *Land Debentures;* issuable only to a *limited* extent."

Such, in its main features, is the measure which Mr. Vincent Scully's legal and chancery experience, superadded to his experience as a landholder and a considerable landlord, induces him, as he declares in his speech, to propose as a remedy for the "many ills that (*in Ireland*) the *land* is heir to"!

Obviously it is a measure not capable of any immediate application; and quite of too large a character in the alterations it propounds, to be very quickly digested, if at all, by the House of Commons—that House in which there prevails so marked a dread of *any* change, not of microscopic dimensions and most gradual operation. On these grounds we would be dis-inclined to give it much consideration here, even did space permit, and would rather reserve it to be dealt with at a future time, and in another way.

Mr. Scully is entitled to exceeding credit for the great and careful elaboration that he has evidently bestowed upon the pamphlet, and for the ability he has displayed, as well as for, undoubtedly, his thorough honesty of purpose: whatever may be the judgment on the measure itself, either in its details, or as to the principles it is declared to be based upon, there is no doubt whatever of the importance of the subject matter, of its great and vital interest to most important classes in this and other countries, and of the good that must flow from the thorough discussion which it helps to promote of social problems daily assuming greater magnitude, and more and more imperatively needing solution.

In brief, we have the following amongst other difficulties as to this proposed measure. 1st, The *very practical* difficulty of getting it through Parliament, at least in any reasonable time. 2nd, The fact that giving more facilities (by *land debentures*) for *borrowing*, is a doubtful way of clearing indebted estates; and that the truly desirable object of a cheap and facile transfer of land does not require a *debenture*-system. 3rd, That these debentures would soon display the same tendency to agglomerate among a few wealthy persons, which inevitably occurs whenever small portions of property are in the market in a country like this, where the possession of large estates is the directest road to rank and honors. This tendency is already markedly obvious in the working of the "*Freehold Land Societies*" of which Mr. Scully writes. 4th, The certainty of reviving

the battles of the "*Currency-Doctors*" the moment that Parliament should decide on making these debentures "marketable and negotiable securities"; to say nothing of the certain stimulus that would ensue, to all manner of jobbing speculation.

Other weighty objections suggest themselves; but with these we rest for the present, not considering, as we observed before, that the scheme is available at this time, if it even be capable of being ultimately made so for its professed objects.

In conclusion, there remains but to remark, that in the review of the various plans for amended Land Legislation which we have offered in this paper, we have necessarily had to avow a certain preference; but a preference which is to be qualified in the minds of our readers by understanding it as only *comparative*. In a healthy state of things land-contracts ought not to be the subject of legislation at all, but should be left to free, mutual agreement. Undoubtedly, a healthy state of things cannot be said to prevail, or have prevailed in Ireland, and all parties are now beginning to agree that "something must be done." *Our* impression is, that it would be well if all parties first looked into the *general* condition of their country in all its relations and interests; and examined whether some large, *all-reaching* change in the management of her affairs, ought not to be sought for, rather than a particular interference and meddling with one interest alone. The cost of effort would not be greater in the general than in the particular case; and while amendment in the latter might, nay *could*, be only *temporary* as well as partial—(inasmuch as the unsatisfactory state of other relations and interests would invitably re-act, and soon diminish or destroy the improvement in one) a great general measure would tend to restore capital to the country, and cause it to circulate throughout all the ramifications of industry, and by giving vitality to the core of the body politic, invigorate its every limb, even to the utmost extremities.

The devising and application of such a measure would be indeed a work worthy of the study and attention of those who aspire to be the leaders and instructors of the people, in and out of Parliament, and would save us from the legislative labyrinth into which we at present seem fated, during the approaching Session, to be plunged in the research, certainly vexatious, and too probably fruitless, of a specific nostrum for a particular evil.

ART. IV.—PLUNKET.

GRATTAN, FLOOD, CURRAN, BUSHE,—glorious names that in other days swayed the Irish multitude, and guided the policy of the National party,—all have passed away, and now the great spirit that lingered longest, connecting the Pigmies of the present with the Titans of the past, is gone—and the fame of PLUNKET is a memory of the dead.

There are men whose biography is but the history of their country; the events of their existence devoted to public affairs cannot be separated from the events of the Nation, and thus the recorded epochs in the lives of Cromwell, of Monk, of Hampden, of Somers, of Marlborough, of Walpole, of Pitt, of Fox, of Sheridan, of Grattan, of Wellington, of O'Connell, are the history of the country in their eras; and to this roll of men, who, for good or evil, have ruled the destinies of these Kingdoms, we may add that of William Conyngham Plunket.

He was the last great man of a period when to be champion in the public cause of Ireland was to prove one's claim to honesty, to eloquence, and to the most stainless patriotism. In that age Irish popular movements showed the ominous and determined resolves of a people; now these movements are but the idiot mouthings of a thoughtless rabble, with bucolic priests and Dublin newspaper adventurers for Tribunes,—then a Nation spoke, and its leaders were the truest, the ablest, and the wisest men of the country and of the period; of these leaders Plunket was amongst the foremost.

Commencing life a poor man, he became independent in purse through his own professional efforts. Loving Ireland more than his own interest, he spurned bribes the most seducing, and place and patronage the most fascinating in their golden splendor. With genius of the brightest order he combined all the graces of the rhetorician, and all the erudition of the scholar. To a perfect knowledge of men he added the readiest, the keenest, and the most polished satire. To a most exquisite and refined wit, he could draw aid, when occasion required, from a fund of broad, buoyant, national humor. In the Legislature he was, from the first, distinguished as a profound, and accurate, and eloquent orator; as a debater he was ready, well informed and dauntless; as a patriot, aud as a soldier of freedom, he was amongst the most distinguished of those who, word by word, contested the enactment of the Legislative

Union. Thus too he bore himself in the English Houses of Parliament; and whilst others, his fellow countrymen, forgot, in these assemblies, the older and the nobler principles they had professed in their native Legislature, Plunket was ever Irish in heart, Irish in deed, Irish always and in every thing.

When the Act of Union was carried he felt that all efforts to obtain its repeal, must, in that age at least, fail disgracefully,—tending but to weaken the connection of the Kingdoms, and exposing the efforts of the Irish party to the suspicion of raising a factious opposition. United with the Grenville Administration, he became the advocate of the Irish people, and deserted none of those principles of his past life by which he had secured the honestly earned titles of patriot, and of true-souled Irishman.

From the first hour of his entrance into the world of politics to that day, when, amidst the regrets of all the Nation, he retired from the public service, he was ever the same. He relinquished his post as Chancellor with regret,—it was the last which enabled him to serve his country, and it was the only tie that bound him to life, and reminded him of the fame and glory of the past by years. Although he was illustrious in the Legislature, yet to the Courts of Law we must follow him, if we would appreciate and observe the "coronam multiplicem, judicium erectum, crebras assensiones, multas admirationes, risum cum velit, cum velit fletum, in Scenâ Roscium."

About the year 1725, the Rev. Patrick Plunket was Minister of the Presbyterian Congregation of Glennan, in the County of Monaghan. His son Thomas was born in the year 1725, and educated at the University of Glasgow. This Thomas Plunket was licensed by the Presbytery of Monaghan in the year 1747, and was called unaminously to become the Minister of the Congregation of Inniskillen, on the 31st day of July, 1748.

Thomas Plunket had married a young lady of his own persuasion, a Miss Mary Conyngham, and in the year 1750, she bore him a son named Patrick, who was afterwards distinguished as a physician, and attended the illustrious Lord Charlemont in his last illness; and in the month of January, 1764, a second son was born, and baptised William Conyngham Plunket.

Thomas Plunket held the office of Minister, over the Inniskillen Congregation, until the year 1768. During these

twenty-years he received calls from various Congregations, but could not be induced to leave his old friends in Inniskillen, until he accepted, after many solicitations, the call of the Congregation of Strand-street, Dublin, which was dated the 23rd day of November, 1768, and he then became the colleague of the Rev. Doctor Moody.

He was a man of ability and learning, and was a humorist of the quaintest class; being, both in Inniskillen and in Dublin, the warm friend of that most erratic of churchmen, the Rev. Philip Skelton, the curate of "Premium" Madden, and rector of Fintona.*

The Rev. Thomas Plunket continued in the Ministership of the Strand-street Congregation during the ten succeeding years, and died in the year 1778, aged about fifty-three. From one who knew him well we learn, that "his eminent gifts as a Preacher, peculiar talent of wit, and conversational powers, added to his zeal in the cause of civil and religious liberty, and great political knowledge, obtained for him the friendship and intimate intercourse of the most distinguished persons in Ireland. His society was eagerly courted, and his opinon consulted, by the most eminent statesmen and Parliamentary leaders of that period. His character was a rare union of natural talents of the highest order, combined with the most winning gentleness of disposition, and truly christian kindness of heart."

The Rev. Mr. Plunket was not a fortunate man in life, and he died poor, leaving to his children as a heritage, but an honest name, and industry, and genius. The Congregation of Strand-street chapel saw that the family of their late Minister was not well off in worldly riches, and they enabled the children to commence life independently: with that honor which ever distinguished Plunket, he in after life repaid the sums thus advanced, and when debt pressed upon the public chapel fund of his old friends, he presented them with a sum of over £500, to enable them to discharge their liabilities.

In the year 1781, William Conyngham Plunket entered Trinity College, and amongst the most remarkable of his circle were Bushe, Doctor Miller, author of *The Philosophy of History*, Peter Burrowes, and the late William Magee, Archbishop of Dublin.

*For an interesting sketch of Skelton, see, IRISH QUARTERLY REVIEW, Vol. III. No. 11, pp. 708, 710.

Of the brilliant corps of distinguished men who first proved their ability in the College Historical Society, Plunket was amongst the most famous. Whilst Grattan, Baron Smith, Lord Wellesley, and other Irishmen had received, or were receiving education at either of the two great English Universities, Plunket was reared in our Irish institution; and if he were there exposed to the evils of exclusiveism, he was at the same time enabled to study the character of the Nation's mind, and to measure his mental strength with those who might afterwards be his opponents, his rivals, or his followers, in the forum or the senate.

His progress in the College course was not remarkable; having selected the Law as his profession, he entered Lincoln's Inn, about the year 1784, and was called to the Irish Bar in Hilary Term, 1787.

For some few years he worked quietly on; but the grave, deep, far-seeing spirit was neither slumbering nor quiescent. Plunket saw fools, and scoundrels mounting to the high places of the political world around him. The surging tide of the public indignation had heaved and roared, and the wild dreams of freedom,—à la Français, had disturbed the Irish people, and had begun to startle the government from that false security into which the easy seduction of the Volunteers had soothed them. But the Minister could not be blind or deaf to the fact, that the Volunteers had taught the Nation one great, plain, lesson,—that a comprehensive and perfect measure of Parliamentary Reform was needed for the protection of Irish trade, and for the security of Irish independence.

In the year 1793 the Irish nation thought thus. The two great parties in the legislature, those who were the slaves of the Minister, and those who were called the Charlemont Whigs, that is, those who were for the free and independent action of Ireland, sought anxiously for recruits among the young, and intellectually able, of the out-door world. Lord Charlemont had ever been desirous of securing the new talent that, year by year, sprang up from College, and from the Bar. His borough—Charlemont—had ever been at the command of the national party; in the year 1775 Grattan had been returned as its parliamentary representative. Grattan had saved the country, had created its independence in 1782; and once more Lord Charlemont had another opportunity of rendering his borough remarkable. He saw that Plunket was a man made for

clash of the Legislature of the period. Young men were needed by the popular party; Grattan was no longer vigorous, as in the days when his hand was as ready upon the pistol or the rapier, as his eloquence was quick, ardent, and overwhelming in the House. Dissensions had sprung up between the national leaders, and if these differences should increase, the cause of Ireland was lost—for who, without a party at his back, save one young and dauntless, with fame to make, could beard that terrible Castlereagh, with his cold, keen sneer, his unchanging enmity to a foe, and his unflinching, sterling, undoubted personal courage. To encounter Castlereagh, a common bully, such as Egan, was useless—Castlereagh would meet him as readily as could be desired; but what Castlereagh could not endure was an opponent who possessed the ability to launch against him before the eager House, all the scathing scorn, contempt, and insult, that invective, "in order," and made irresistible by the support of facts, could express. Such an ally as this was Plunket, when he entered Parliament as Member for the borough of Charlemont.

He was one of those who with Grattan, Bushe, Wallace, Smily, and Goold, contributed to the weekly organ of the nationalists, entitled *The Anti-Union*, and as a specimen of the style of political writing in vogue at this period, we insert the following extract from his letter, signed "Sheelagh," which appeared in the third number of that journal, Tuesday, January 1st, 1799. The letter purports to be written by a young girl named Sheelagh, who is about to be married, against her will, to a Mr. Bull. Sheelagh is Ireland, Mr. Bull, England, and the marriage, the proposed Union, and the entire letter is conceived in a humorous and ironical style, worthy of Swift. After detailing the many schemes employed, and slanders and falsehoods circulated by the friends of Bull, to blast her character, and thus in fact compel her to unite her fortunes with those of her detested suitor, she continues:—

"But, sir, conceive, I beg of you, the ridiculousness of this overture. I to marry Mr Bull! Mr Bull, whom, in the year 1783, when he was tolerably vigorous, and reasonably wealthy, and well reputed, I would have rejected with contempt! Mr Bull, now that he has had repeated fits of the falling sickness, and that a commission of bankrupts is ready to issue against him!—I could not have believed the proposal serious, if the old gentleman himself had not gravely avowed it. Hear, I beg of you, the inducements which he holds out to me. There is to be no cohabitation, for we are still to continue to live on

different sides of the water—no reduction of expenses, for our separate establishments are still to be kept up—all my servants to be paid by me, but to take their orders from him—the entire profits of my trade to be subject to his management, and applied in discharge of his debts—my family estate to be assigned to him, without any settlement being made on me or my issue, or any provision for the event of a separation. He tells me, at the same time, that I am to reap great advantages, the particulars of which he does not think proper to disclose, and that, in the mean time, I must agree to the match, and that a settlement shall hereafter be drawn up agreeable to his directions, and by his lawyers. This, you will say, is rather an extraordinary *carte blanche*, from an insolvent gentleman, passed his grand climacteric, to a handsome young woman of good character and easy circumstances. But this is not all; the pride of the negotiation is equal to its dishonesty, for, though I am beset and assailed in private, and threatened with actual force if I do not consent to this unnatural alliance, yet, in order to save the feelings of the Bull family, and to afford the pretext for an inadequate settlement, I am desired, in despite of all maiden precedent, to make the first public advances, and to supplicate, as a boon, that he will gratify my amorous desires, and condescend to receive me and my appurtenances under his protection. Still one of the principal features of this odious transaction remains to be detailed; would you believe it, that this old sinner, several years ago, married a lady,* who, though of harsh visage and slender fortune, was of honourable parentage and good character, and who is, at this hour, alive, and treated by him with every mark of slight and contumely—and it is worthy of observation, that many of the clauses in the articles, which were very carefully drawn up previous to his marriage with this lady, have been scandalously violated by him."

These were effective arguments, clothed in an admirably adapted style, and in the House Plunket was equally successful. Truly he was, as Curran designated him, the Irish Gylippus, in whom were concentrated all the energies and all the talents of his country. He was not a Grattan, a Curran, a Bushe, a Flood, but he was so keen, so ready, so vigorous, so demonstrative, so unlike any one distinguished man of the time, and yet so completely the equal of each, that none compared him to, or measured him by the same standards as those of the other champions of the Irish Independence. The first question worthy of his ability on which he addressed the House, was that momentous one—The Union.

Defeated in their first effort at denationalization, the Government party determined to succeed in their second attempt against the existence of the Irish Legislature. Every art that could corrupt, every bribe that could seduce, was employed; and Castlereagh, like Milton's Lucifer, would ruin

* This reference to the Scottish Union is a capital hit.

that honor which he himself had lost, and the possession of which, by others, formed a canker to his peace.

These arts, and these bribes, were thus, in the second Union debate, laid bare by Plunket:—

"The public will not easily forget that memorable day, when the usher of the black rod was stationed within the doors of the commons, to watch the instant at which the houses assembled. The public will not easily forget the indecent precipitation with which the message from the throne was delivered, without allowing time even for the ordinary vote of thanks to you, Sir, for your conduct in that chair.—They will not easily forget, not the absence, but the disgraceful flight, of the minister of the country, to avoid the exposure and the punishment of guilt. When the functions of this house were thus superseded, his excellency, for the first time, thought proper to inform them of the resolutions of the British Parliament; and he was further pleased to insinuate, that it would be a great satisfaction to him in his old age, if we would be so good as to adopt this measure of an incorporating union. I must for one beg to be excused from making quite so great a sacrifice, from mere personal civility, to any lord-lieutenant, however respectable he may be. The independence of a nation, I must own, does not appear to me to be exactly that kind of bagatelle, which is to be offered by way of compliment, either to the youth of the noble lord who honours us by his presence in this house, or to the old age of the noble marquis, who occasionally sheds his setting lustre over the other: to the first I am disposed to say, in the words of Waller—

'I pray thee, gentle boy,
Press me no more for that slight toy'—

and to the latter, I might apply the language of Lady Constance—

'That's a good child—go to its grandam—give grandam kingdom—and its grandam will give it a plum, a cherry, and a fig—there's a good grandam'—

I hope, therefore, Sir, I shall not be thought impolite, if I decline the offer of the constitution of Ireland, either as a garland to adorn the youthful brow of the secretary, or to be suspended over the pillow of the viceroy. Thus ended that never-to-be-forgotten session. What has since been done? During the whole interval between the sessions, the same bare-faced system of parliamentary corruption has been pursued—dismissals, promotions, threats, promises—in despite of all this, the minister feared he could not succeed in parliament, and he affected to appeal to what he had before despised, the sentiment of the people. When he was confident of a majority, the people were to be heard only through the constitutional medium of their representatives; when he was driven out of parliament, the sense of the people became every thing. Bribes were promised to the catholic clergy—bribes were promised to the presbyterian clergy—I trust they have been generally spurned with the contempt they merited. The noble lord understands but badly the genius of the religion in which he was educated—you held out hopes to the catholic body, which were never intended to be gratified; regardless of the disappointment,

and indignation, and eventual rebellion, which you might kindle—regardless of every thing, provided the present paltry little object were obtained—in the same breath you held out professions to the protestant, equally delusive; and having thus prepared the way, the representative of majesty set out on his mission, to court his sovereign, the majesty of the people. It is painful to dwell on that disgraceful expedition—no place too obscure to be visited—no rank too low to be courted—no threat too vile to be refrained from—the counties not sought to be legally convened by their sheriffs—no attempt to collect the unbiassed suffrage of the intelligent and independent part of the community—public addresses sought for from petty villages—and private signatures smuggled from public counties—and how procured? By the influence of absentee landlords; not over the affections, but over the terrors, of their tenantry, by griping agents and revenue-officers—and after all this mummery had been exhausted, after the lustre of royalty had been tarnished by this vulgar intercourse with the lowest of the rabble, after every spot had been selected where a paltry address could be procured, and every place avoided, where a manly sentiment could be encountered, after abusing the names of the dead, and forging the signatures of the living, after polling the inhabitant of the gaol and calling out against the parliament the suffrages of those who dare not come in to sign them till they had got their protections in their pocket, after employing the revenue officer to threaten the publican that he should be marked as a victim, and the agent to terrify the shivering tenant with the prospect of his turf-bog being withheld, if he did not sign your addresses, after employing your military commanders, the uncontrolled arbiters of life and death, to hunt the rabble against the constituted authorities, after squeezing the lowest dregs of a population of near five millions, you obtained about five thousand signatures, three-fourths of whom affixed their names in surprise, terror, or total ignorance of the subject; and after all this canvass of the people, and after all this corruption wasted on the parliament, and after all your boasting that you must carry the measure, by a triumphant majority, you do not dare to announce the subject in the speech from the throne. You talk of respect for our gracious sovereign—I ask what can be a more gross disrespect than this tampering with the royal name—pledged to the English parliament to bring the measure before us at a proper opportunity—holding it out to us at the close of the last session, and not daring to hint it at the beginning of this?—Is it not notorious why you do not bring forward the measure now? Because the fruits of your corruption have not yet blossomed, because you did not dare hazard the debate last session, in order to fill up the vacancies which the places bestowed by you, avowedly for this question, had occasioned, and because you have employed the interval in the same sordid traffic, and because you have a band of disinterested patriots waiting to come in and complete the enlightened majority, who are to vote away the liberties of Ireland."

Great in his cool, unyielding, desperate resolve, Castlereagh was determined that no obstacle should stay the fulfilment of his

will. Baffled in the hope of preserving Ireland's Parliament, Plunket thundered against its bold betrayer all that fierce invective which told so effectually in the Irish Commons. One can fancy Castlereagh surrounded by the men he had bought, and whom he despised, wincing beneath such scathing sarcasm as this comparison, drawn between his character and that of William Pitt.

"The example of the prime minister of England, inimitable in its vices, may deceive the noble lord. The minister of England has his faults; he abandoned in his latter years the principles of reform, by professing which he had obtained the early confidence of the people of England, and in the whole of his political conduct he has shown himself haughty and intractable; but it must be admitted that he has shown himself by nature endowed with a towering and transcendant intellect, and that the vastness of his moral resources keeps pace with the magnificence and unboundedness of his projects. I thank God, that it is much more easy for him to transfer his apostacy and his insolence, than his comprehension and sagacity; and I feel the safety of my country in the wretched feebleness of her enemy. I cannot fear that the constitution which has been formed by the wisdom of sages, and cemented by the blood of patriots and of heroes, is to be smitten to its centre by such a green and limber twig as this."

The covert sarcasm of these last words was terrible, but the application was easy to all present. The House was densely thronged; Lady Castlereagh, in all her radiant beauty, was there, but, though some years married, she had borne no children, and the words, "green and sapless twig," struck home to Castlereagh's heart with double force.*

Again, Plunket thus shows the qualities of good and evil, as marking the character of the Minister:—

"Sir, I confess I did at one time rejoice in the appointment of the noble lord, to the administration of this country. When I perceived that wicked and destructive measures were in agitation, I rejoiced that an impotent and incapable instrument was selected for their execution: but I have ceased to entertain that feeling, because, though I am as well convinced as I am of my own existence that he never can accomplish his measure, I see by woeful experience that he may do infinite mischief in attempting it. Sir, there are no talents too mean—there are no powers too low for the accomplishment of mischief—it is the condition of our nature—it is part of the mysterious and inscrutable dispensation of Providence, that talent, and virtue, and wisdom, are necessary for the achievement of

* When Teeling's mother implored mercy for her son, and when it was refused by Castlereagh, she said,—"But you cannot understand me, you have no child."

great good; but there is no capacity so vile or so wretched as not to be adequate to the perpetration of evil."

Against Castlereagh, and against his policy, all efforts were vain, and the Act of Legislative Union was passed.

Plunket was anxious to become a Member of the United Parliaments, but having unsuccessfully contested the representation of Trinity College, he retired for a time from public life, and devoted himself to the practice of his profession.

His reputation as a lawyer was high, and as an advocate his ability was undoubted; and when, in the year 1803, Robert Emmett was tried for High Treason, Plunket was selected as one of the counsel for the Crown. He had been intimate with many of the United Irishmen, in 1798, and had, with Curran, defended Henry Sheares, when tried in the July of that memorable year. He had said jocularly to Tone, as a knot of young barristers lounged in the hall,—"Well, Tone, remember all I ask of you is Carton,"—referring to the promised spoliation of the aristocracy in the projected revolution. A member of the Beresford family happened to stand by Plunket's side at the moment—and Tone replied, "No, Plunket, the Duke's my friend; but I promise you Curraghmore."*

From this fact of a common acquaintanceship, it has been frequently asserted that Plunket was intimate with most of the United Irishmen, that he was the friend of Emmett, and terrible slanders have arisen from this erroneous report. Emmett, as most of our readers are aware, was tried in the year 1803, and they know that Lord Kilwarden was murdered by one of the insurgents.

The out-break was, doubtless, an atrocious folly. Men had still faint hopes that Pitt's promise of Catholic Emancipation

* This seat and estate of the Waterford family appears to have been specially marked out for plunder by the rebels of all times. In the town of Carrick-on-Suir, in the month July, 1848, shortly before the Ballingarry riot, half-a-dozen butchers were overheard arranging the portions they should select from the Curraghmore and Bessborough properties. It appears that all was, in fancy, disposed of, and one of the party found himself not quite so well provided for as his fellow patriots, but he suddenly exclaimed—"Never mind, a piece of Curraghmore isn't bad, an' if I'm short, be cripes, I'll take the Marchioness"—he alluded to Lady Waterford. Those who knew the country, from Waterford to Clonmel, and from Dungarvan to Mulinahone, in the summer of 1848, will not consider that we at all exaggerate—we really state a simple fact.

might yet be fulfilled; all true lovers of the country were desirous that the bloody events of 1798 should be forgotten—and all felt that Emmett, by his insane, vaporing riot had retarded the fruition of the dearest wishes of the national party. Plunket was indignant, and was, perhaps, not inclined to spare the feelings, or to favor the escape of one who had, whilst risking his own life, perilled and injured the prosperity and peace of the country. Emmett, it is known, called no witness for the defence; indeed it would have been useless to attempt the denial of his guilt,* but it was hoped that under these circumstances the Crown Counsel would not, a second time, appeal to the jury. This expectation was not fulfilled; the Attorney-General, O'Grady, afterwards Lord Guillamore, addressing the Court said:—

"My Lord—We feel that stating a case, and observing upon it, are different duties. I have had the burthen upon me of stating the case for the Crown. The prisoner declining to go into any case wears the impression that the case on the part of the Crown does not require any answer—that is the most charitable way of considering his conduct, and therefore it is at *my particular desire* that Mr. Plunket rises to address the Court and Jury upon this occasion."†

Plunket spoke vigorously, and warmly—that is, he discharged his duty to the Crown, and to the country. From his speech we extract the following passages, and the reader must bear in mind that Emmett had endeavoured to create a complete revolution, and that a most estimable judge had been murdered by one of the prisoner's party.

Plunket asks:—

"For God's sake, to whom are we called to deliver up, within fourteen days, all the advantages we enjoy? Who are they who claim the obedience? The prisoner, as the principal. I do not wish to say anything harsh of him—a young man of considerable talents, if used with precaution, and of respectable rank in society, if content to conform to its laws. But when he assumes the tone and manner of a legislator, and calls on all ranks of people, the instant the pro-

* He knew this. "When Burrowes, too, was about to avail himself of the privilege of reply (wearied to death with anxiety, and feeling both the painfulness and inutility of what he was about to do,) Emmett said, 'Pray do not atttempt to defend me; it is all in vain;' and Burrowes accordingly desisted." This is the statement of the late Peter Burrowes, made the 3rd September, 1830, to Moore. See "Memoirs, Journal and Correspondence of Thomas Moore"—Vol. VI. p. 134.

† See Howell's "State Trials." Vol. XXVIII. p. 1258.

visional government is proclaimed, to yield to it the whole constituted authority, then it becomes an extravagance bordering on frenzy. We who have lived under a king, not only *de facto*, but *de jure*, in possession of the throne, are called on to submit ourselves to the prisoner—to the vagrant politician, the bricklayer, the baker, the old clothes-man, and ostler. These are the persons to whom this proclamation, in its majesty and dignity, calls upon a great people to yield up obedience, and a powerful government to give a prompt, manly, and sagacious acquiescence to their just and unalterable determination.

"I do not wish to awaken any remorse, except such as may be salutary to himself and his country, in the mind of the prisoner; but when he reflects that he has stooped from the honourable situation in which his birth, talents, and education placed him, to debauch the minds of the lower orders of ignorant men with the phantoms of liberty and equality, he must feel that it was an unworthy use of his talents—he should feel remorse for the consequences which ensued, grievous to humanity and virtue, and should endeavour to make all the atonement in his power, by employing the short time which remains for him in endeavouring to undeceive them."

And he thus concludes:—

"Gentlemen, I am anxious to suppose the mind of the prisoner recoiled at the scenes of murder which he witnessed, and I mention one circumstance with satisfaction—he saved the life of Farrel—and may the recollection of that one good action cheer him in his last moments! But though he may not have planned individual murders, that does not justify treason, which must be followed by every species of crime. Let loose the rabble from the salutary restraints of the law, and who can take on him to limit their barbarities? Who can say he will disturb the peace of the world, and rule it when wildest? Let loose the winds of heaven, and what power less than the Omnipotent can control them? So it is with a rabble. What claim, then, can the prisoner have on the compassion of a jury, because in the general destruction his schemes necessarily produced, he did not meditate individual murder? I trust that the blood which has been shed in the streets and on the scaffold will not be visited on the head of the prisoner. It is not for me to say what are the limits to the mercy of God, or what a sincere repentance may effect; but I do say, that if this unfortunate young man retain in his heart any of the seeds of humanity, he will make an atonement to his God and country by warning his deluded countrymen."

It has been frequently said that Plunket was the friend of Emmett, but in this there is no truth; he had met, as he proved, a brother of Emmett's some years before, at a public entertainment, but beyond this meeting he had no knowledge of any of the family, and was a stranger to the prisoner. Some short time after Emmett's execution, Cobbett, then beginning his career of lying and abuse, published, in his *Regis-*

ter, a garbled report of Emmett's speech in the dock, of which powerful address the convicts Mitchel and Meagher gave such ludicrous travesties in the year 1848; and in this speech, as printed by Cobbett, the following passage appeared, referring to Plunket:—

"That viper whom my father nourished. He it was from whose lips I learned those principles and doctrines which now drag me to my grave. He it is who is now brought forward as my prosecutor, and who by an unheard of exercise of the prerogative has wantonly lashed with a speech to evidence the dying son of that former friend—when that dying son had produced no evidence, and had made no defence, but on the contrary, had acknowledged the charge, and submitted to his fate."

Plunket brought an action for libel against Cobbett, which was tried in London, before Lord Ellenborough and a Special Jury; Erskine was counsel for Plunket, and made a very able and eloquent speech: the jury returned a verdict for the plaintiff, with £500 damages.

Peter Burrowes, who defended Emmett, explained the whole secret of this "viper" libel to Thomas Moore, just twenty-eight years after the event. On the 16th day of February, 1831, Moore was in Dublin, and wrote in his *Diary*:—

"Went to Milliken's, and had some conversation with Curran and Peter Burrowes about young Emmett, and the part Plunket took on his trial. Burrowes seemed to be decidedly of opinion that Plunket could not have refused the brief of Government, though he might have avoided, perhaps, speaking to evidence; almost immediately after, too, Plunket came into place. It was not true, (I think he said) that Plunket had been acquainted with young Emmett. The passage in the printed speech of Emmett where he is made to call Plunket 'that viper, &c.,' was never spoken by Emmett, and the secret of its finding a place there was owing, Curran said, to the following circumstance. The person who took down the speech at the trial was, I think, M'Nally, the son of the barrister, and he had afterwards some conversation with Emmett in the prison. It was during that conversation that Emmett, in speaking of Plunket, used these expressions, which M'Nally introduced subsequently in the speech."*

* See "Memoirs, Journal and Correspondence of Thomas Moore," Vol. VI. 172. It should be stated that Burrowes had appeared, in the Irish Courts, to support Plunkett's application for a criminal information against certain parties in Ireland for publishing the speech.

Cobbett appears never to have forgiven or forgotten Plunket's vindication of himself. In the year 1833, when the Reform agitation was convulsing the kingdoms, he recalled Plunket's speech, made before the passing of the Act of Union, and contrasted his threat there made, that he would swear his children to perpetual hostility to England, upon the altar of their country, should the measure receive the sanction of the majority, with the position which he then held, as an opponent of reform; and when Cobbett cried, in his loud, roaring, and most bullying tone, "There's a pretty Hannibal for you!" he pretended to forget that Plunket had had the example of almost every distinguished opponent of The Union to countenance his acceptance of office, and that the Reform Bill Cobbett's friends required, was likely to produce insatiable demands, which might eventually lead to the disruption of the social harmony, and general policy, of the Kingdoms

Emmett felt that the government had treated him neither cruelly nor harshly. Upon the morning of his execution he wrote the following letter, to the Right Honorable William Wickham, who held the office of Chief Secretary, under Lord Hardwicke's Viceroyalty. Had Plunket been so forgetful of former friendship, as to become the virulent persecutor of his former associate, Emmett would, doubtless, have referred to the scoundrelism of the deed; but as Plunket never was his associate, and merely performed his duty as Crown Counsel, honestly, eloquently, and constitutionally, Emmett makes no reference to him, but writes:—

"Sir—Had I been permitted to proceed with my vindication, it was my intention not only to have acknowledged the delicacy with which, I feel with gratitude, I have been personally treated, but also to have done the most public justice to the mildness of the present Administration of this country, and at the same time to have acquitted them, as far as rested with me, of any charge of remissness in not having previously detected a conspiracy, which from its closeness I know it was impossible to have done. I confess that I should have preferred this mode had it been permitted, as it would thereby have enabled me to clear myself from an imputation under which I might in consequence lie, and to have stated why such an *administration* did not prevent, but under the peculiar circumstances of the country rather accelerated, my determination to make an effort for the overthrow of a *government* of which I did not think equally high. However, as I have been deprived of that opportunity, I think it right now to make an acknowledgement which justice requires of me as a man, and which I do not feel in the least derogatory from my decided principles as an Irishman.—I am, &c.,

"H. Robert Addis Emmett."

After Emmett's trial Plunket applied most assiduously to his profession. Official position was open to him, and, under the Viceroyalty of Lord Hardwicke, his friend Bushe* had accepted the Solicitor-Generalship. Plunket, however, would not take office under any Minister save one with whose principles he held full unison and complete concurrence. He was not an independent man in purse. He had married, in the year 1791, Catherine, daughter of John M'Causland, Esq., of Strabane, and a large family was springing around him. But he hoped for other times, when friends might be in power, and when he might, without compromise of principle, accept some post worthy of himself and advantageous to the country.

At length "All The Talents" came into office, and on the fifth of November, 1805, and under the Viceroyalty of the Duke of Bedford, Bushe continued Solicitor-General, and Plunket was appointed Attorney-General, and obtained a seat in Parliament; but upon the dissolution of the Grenville Ministry, in the year 1807, he resigned his post as Attorney-General, although Lord Grenville requested that he would not consider the claims of party as at all demanding the resignation, and although Bushe retained his Solicitor-Generalship, under Saurin. He seems to have felt some disappointment at Bushe's retaining office, and on one occasion, shortly after his resignation, being absent from Court during the hearing of a case in which he was counsel, the Judge asked Bushe the cause of his friend's non-appearance. There were, at the period, certain government negotiations carried on, in which Plunket was supposed to be interested, and referring to this report, Bushe replied, "I suppose, my Lord, he is *cabinet-making*." Upon Plunket's entrance the joke was mentioned to him, and he said, "I assure your Lordship, I am not so suited for *cabinet* making as my learned friend—I was never either *a joiner* or *a turner*."

Plunket, having resigned his office, retired from Parliament, as his circumstances were not sufficient to warrant a continued absence from the Courts. But, during his short career in the House, he had distinguished himself as a Parliamentary orator, and in evidencing what Canning called, "the commanding energy of Plunket," he proved he was not open to Grattan's beautiful admonition to Flood, that he should pause ere he risked his reputation in the Imperial Parliament, "An oak of the

* For a Memoir of Bushe, see IRISH QUARTERLY REVIEW, Vol. III. No. 9, pp. 51 to 120.

forest was too old and too great to be transplanted." He spoke upon the Catholic Relief question, and placed his name amongst the first orators of Parliament. "For the mischief created by the 'No-Popery' cry," said Whithead, in the debate on the Catholic question, May 25th, 1808, "we have the authority of a learned friend of mine, who is no longer a member of the House, but who lately was a member of it, and whose splendid eloquence at once convinced and delighted us. I speak of Mr. Plunket, whose speech upon that subject in the House will never be forgotten."

Plunket retired from Parliament, and resigned the Attorney-Generalship with honor to himself. He abandoned his office although two influential friends of the government requested he would retain it, stating that he would be at liberty to vote as he pleased; by his resignation he sacrificed over £100,000; but, as Henry Grattan said, he was as "distinguished for legal constitutional knowledge, as for a contempt of salary, equal to a regard for law," and would not continue in office under any administration refusing to entertain the question of Catholic Emancipation.

In the year 1812, Doctor Patrick Plunket died, and bequeathed a large sum of money, about £60,000, with his valuable library, to his brother.*

Plunket was now in a position to return to Parliament without injury to his family; we find that he re-entered shortly after the death of his brother, and, in the year 1813, delivered one of the most powerful speeches ever spoken in the English Commons. The debate was that on the Catholic Question, and Plunket seems to have looked upon the occasion as one eminently suited for the display of all his ability. Canning and Grattan might excel him, but the former was not always perfect, and the fire of Grattan's genius was flickering. Brougham was not in Parliament, Peel was only a clever young debater, with something of official priggishness about him, and Plunket burst upon the House with an electric effect. The style was not Irish, like Grattan's; it was not brilliant, like Sheridan's,—it was not like any effort which the House had been accustomed to consider effective.

As Plunket's speech upon the Catholic Question, delivered in 1821, is superior even to this now before us, we shall only insert an extract from the latter, in which he describes his ideal of a Church:—

* Doctor Plunket had married Miss Henry, of Straffan, a connection of the Hastings family.

"Sir, religion is degraded when it is brandished as a political weapon, and there is no medium in the use of it: either it is justified by holy zeal and fervent piety, or the appeal to it becomes liable to the most suspicious imputation. Sir, I consider the safety of the state as essentially interwoven with the integrity of the establishment. The established religion is the child of freedom. The reformation grew out of the free spirit of bold investigation; in its turn it repaid the obligation, with more than filial gratitude, and contributed, with all its force, to raise the fabric of our liberties. Our civil and religious liberties would each of them lose much of their security, if they were not so deeply indented each with the other. The church need not be apprehensive. It is a plant of the growth of three hundred years; it has struck its roots into the centre of the state, and nothing, short of a political earthquake, can overturn it: while the state is safe it must be so; but let it not be forgotten that, if the state is endangered, it cannot be secure. The church is protected by the purity of its doctrines and its discipline; the learning and the piety of its ministers; their exemplary discharge of every moral and christian duty; the dignity of its hierarchy, the extent and lustre of its possessions, and the reverence of the public, for its ancient and unquestioned rights; to these the Catholic adds the mite of his oath that he does not harbour the chimerical hope, or the unconstitutional wish, to shake or to disturb it: and therefore, all which is requisite, for the security of the church, is that it should remain, in repose, on its own deep and immoveable foundations; and this is the policy which the great body of the church of Ireland, and, I believe I may add, of the church of England, have adopted. If anything could endanger its safety, it would be the conduct of intemperate and officious men, who would erect the church into a political arbiter, to prescribe rules of imperial policy to the throne and to the legislature."

All who are acquainted with political history know, that during the latter years of Buonaparte's career, there was a body of men in England who rejoiced in every success of that extraordinary being; and there was a class of writers too, who endeavoured to impress the public mind with a belief that all our assistance to Spain and Portugal was injurious to our interests, and served but to render the French Emperor more determinedly our enemy. *The Edinburgh Review* was frequently a partizan of this class of politicians, and its un-English tone was powerfully attacked by Southey, and others, in *The Quarterly Review*. The chief folly of this party was exhibited in the debates upon the renewal of the war in 1815. Canning, Grattan, Plunket, all who really saw the danger of England, were for war; yet Lord Grey, with a species of cowardice unworthy of his name, implored the Lords to trust to anything rather than the sword. But the nation was English then in its op-

position to Buonaparte, as it is now in its hostility to Nicholas; and in stating his own reasons for supporting the war party, Plunket but spoke the feeling of the people, when he said:—

"Supposing that any nation should in time of peace, put itself into an extraordinary state of preparation for war; if that nation should organize itself in such a manner as to be perpetually prepared for commencing offensive war—if that nation should embody itself under the command of a military chief of great talent and experience in the art of war—if for fifteen years Europe had experienced that the efforts of that nation were uniformly directed to aggression, conquest, and spoliation—if Europe had been obliged, in self-defence, to carry its arms into the heart of that country—if that country was taken—if the conquerors in their magnanimity and moderation offered a peace which was accepted with gratitude—if that Treaty was accepted with gratitude by that individual who had abdicated the throne, and if after ten months, that guilty individual was to be recalled by a licentious soldiery, for the purpose of fresh aggression—am I then to be told in this House, that neither we nor the other nations of Europe have any right of interference with the internal arrangements of such a nation? How does it happen that the just and legitimate sovereign of France has been driven from his throne? It is because his unambitious virtue made him appear to the soldiery, not to be a proper instrument to wield the unsocial and unnatural energies of the French Empire. If it be said that personal character had nothing to do with the question, I shall ask why was the Treaty of Paris ever entered into? That Treaty turned entirely on personal character, and these stipulations were considerd satisfactory when made with the lawful sovereign of France, that would not have been entered into with Buonaparte. If we are to take the common feeling of mankind upon this subject, we must recollect how universally the abdication of Buonaparte was hailed in this conntry, as an event more important than the most brilliant victories. Our question is not now merely with Buonaparte, but it is with France. She has purchased the benefits of the Treaty of Paris, by giving up Buonaparte, and taking her lawful sovereign, in whom Europe has confidence. If we are now to declare that we are now ready to treat with Buonaparte, it will at once put an end to the coalition. If we are to tell the French people that we are ready to negociate with Buonaparte, as their ruler, it will at once destroy all the hopes that may now fairly be entertained of the co-operation of a considerable portion of the nation. When, however, we see the situation in which Buonaparte now stands; when we see him reduced to make professions contrary to his very nature; *when we see the vessel in which his fortunes are embarked, laboring with the storm, and its mast bowed down to the water's edge, it is the height of impolicy and absurdity to hesitate on the course that we have to pursue.*"

Plunket's speech on this occasion marked him out for Canning's friendship, and its results were evident some few months later.

Although attentive to his Parliamentary duties, Plunket did not neglect his profession, and when, in the year 1816, the celebrated case of The King v. O'Grady was argued, Bushe and Saurin were for the Crown, and Plunket and Burton for O'Grady. The real fact at issue was, whether the right of appointment to the office of Clerk of the Pleas, in the Irish Court of Exchequer, lay in the Crown or in the Chief Baron.

Bushe made a very admirable speech;* but we merely introduce the case here, for the purpose of quoting Plunket's ironical reply to Bushe. It affords an excellent specimen of his dry, keen humor:—

"The Solicitor-General says this is not a judicial act. His words are:—'It is alleged that the admission of the defendant is their judicial determination upon the qualification of the officer, and the legality of the appointment. I wrote down the words; I would not trust to my memory, when my memory was called upon to preserve what disgusted my feelings, and revolted against my understanding.' Such are the words of my learned friend. And then passing upon me some most extravagant compliments, which no man can suppose I would be such an egregious dupe of inordinate vanity to receive as merited, he calls upon me to step over to Westminster Hall, and to desire the House of Commons to decide whether this was a judicial act or not. And if, under the influence of this extravagance of praise, my head were to be so completely turned that I should actually go to St. Stephen's Chapel for the purpose, he then tells me, that 'the very monuments would yield up their illustrious dead; and the shades of Mansfield and of Somers, of Holt and of Hale, would start from their tombs to rebuke the atrocious imputation.' If I had been such a madman as to adopt the suggestions of my learned friend, and introduce in such a place the descriptions of a legal point depending in the Court of King's Bench in Ireland, the shades of those illustrious persons, if they had any taste for the truly ridiculous, might have stepped down to amuse themselves by seeing an Irish lawyer performing the part of Malvolio, cross-gartered and in yellow stockings, the victim of egregious vanity and folly. But if they had thought fit to deny that the swearing in the officer by the Court of Exchequer was a judicial act, I should have prayed in aid the shade of Sir Joseph Jekyll, who calls such an admission, in terms, a judicial act; I should have called on the shades of the learned judges who decided the cases in the Yearbook of 9 Ed. IV. p. 6, in Dyer, 149, a. 150, b. and in 1 Anderson 152. If these venerable spectres had not availed me, I should have called for the substantial assistance of the Soliciter-General himself, who, after a variety of splendid and figurative language, such as the rich imagery of his fancy supplied, ended at last by ad-

* For a portion of this speech, in reply to Plunket's charge of Jacobinism made against the Law Officers of the Crown, see IRISH QUARTERLY REVIEW, Vol. III. No 9, p. 79, Art. "Charles Kendal Bushe."

mitting it to be a judicial act. All these authorities I should have cited to the apparitions of Lord Somers, Lord Mansfield, and Lord Hale. But to Lord Holt I would say, 'You are the most impudent ghost that ever visited the glimpses of the moon, for you yourself did in your life-time the very thing which you now start up to rebuke. My Lords—the Solicitor-General has predicted that my laurels are foredoomed to wither to the root. I do not think I can lay claim to any laurels; and I am conscious that if I ever put forth any leaves, they are already upon the sere. But notwithstanding what has fallen from the Solicitor-General, I believe he would be disposed rather to regret their fall, than to rejoice at any untimely blight which stripped them off before their natural decay."

In the year 1818 the Canningites coalesced with the followers or Lord Grenville, and as Plunket had gratified Canning by his advocacy of the war policy, and had continued a steady andable supporter of theimportant question, Catholic Emancipation, the united parties were desirous of his powerful aid in the House.

He accordingly contested the representation of Trinity College with John Wilson Croker. The numbers were about equal, and the canvass was anxious and earnest. It was well known that Docter Sandes, the late respected Bishop of Cashel, could influence many of the voters. He was at this period a Fellow of the University; and when Plunket waited upon him to request his vote and interest, the doctor locked the door and explained to his visitor that he was quite willing to support him; but before he could promise any aid to Plunket, he required a full and clear statement of the facts connected with Emmett's trial, and with Plunket's conduct in the affair of the address to the jury. During an hour Plunket entered into a clear and elaborate explanation,—Doctor Sandes promised him his vote, kept his word, and Plunket was returned by a majority of five.

He entered the House, zealous and anxious to support his old friends and their new allies. The first occasion that arose in which Plunket had an opportunity of distinguishing himself, was the debate on what was called, "The Manchester Massacre," or Massacre at Peterloo, in the year 1819.

He thus explains the reasons which induced him to support the government, and, referring to the abuses of the liberty of the Press, exclaimed,—

"Why do I allude to the public press? Because there is under the same title, another 'description, a blasphemous, seditious, mischievous, press, of which the Members of this House know but little, but which has been unremittingly at work in destroying every honest and good feeling in the heart of man. It is not against the respectable press, but against this under current, which, setting with great force,

is drifting the great mass of the humbler classes of the community into sedition, atheism, and revolution, that the House ought to guard. It is for the consummation of such atrocious objects that this battery is brought to play upon their passions and their ignorance. Do I mean to say, that the lower classes of the people have no right to be informed on public transactions? Do I mean to say that the lower orders of the people have no right to inquire into and discuss subjects of a political nature? No such thing. Do I mean to say, that they ought not to have the power of expressing their sense of any grievance under which they might think themselves to suffer? Far from it; but when I am willing to allow them the enjoyment of every constitutional privilege, which they are entitled to possess, I never can consider that nice discussions on the very frame of the constitution, or the most essential changes in the institutions and fundamental laws of the country, are calculated for minds of such intelligence and cultivation. They ought rather to be protected from the mischiefs which such a misapplication of their minds must entail. Every capacity is capable of understanding the nature and the extent of the restrictions which government, from the purport of its institutions, necessarily imposed on the natural freedom of man; but to the task of contemplating the more than usurious repayment which in long and various succession is received for that surrender, the generality of persons are not quite so adequate. The penalties of government stand at the threshold, but its benefits are to be traced through a long interval of ages—in the distribution of equal laws—in the control of public wisdom, producing even through apparent contradiction, the grand harmony of the social system—these I conceive are the subjects which cannot be well discussed by men whose time is chiefly directed to daily labour. It has been wisely said, that 'a little learning is a dangerous thing.' It is true in literature, in religion, in politics. In literature, superficial reading too frequently forms the babbling critic. In religion, the poor, man, who, unsettled as to his faith, became curious upon his evidences, and who if he possessed the capacity, and had time and means to extend his inquiries, would in the end reach the moral demonstration which religion unfolds—shaken, but not instructed, becomes a shallow infidel. It is equally so in politics; men who indulge in the perusal of every species of invective against the institutions of their country, who read on their shop-boards of all the evils, and do not comprehend the blessings of the system of government under which they live, these men, the nature of whose employment, and whose education disallows them to be statesmen, may, however, learn enough to become turbulent and discontented subjects."

This most powerful speech was received by the Canningites with unbounded approbation; but as it seemed to support the arbitrary power of the Crown, Lord Grey, and many of his party were enraged, and his lordship characterized the speech as exhibiting more than the zeal of an apostate. That it saved the Government cannot be denied: Lord Ward wrote to his friend, the Bishop of Llandaff, and, referring to Plunket's efforts,

observed:—"By the bye he has cut a great figure this year—his speech in answer to Mackintosh was amongst the most perfect replies I ever heard. He assailed the fabric of his adversary, not by an irregular damaging fire that left parts of it standing, but by a complete rapid process of demolition, that did not let one stone continue standing on another."

In the year 1821, the Catholic Question was brought—once more—before Parliament, and on this occasion Plunket surpassed every former effort: his speech is perhaps finer, more perfect, more furnished than even his best addresses to the Irish Commons; and it is worthy of remark, that he was obliged to adapt his style to an audience very different from that to which in Ireland his arguments had been directed. When he began his Irish career he had merely his own countrymen to address, but now all were strange, and to preserve his reputation as an orator, he was bound to exceed the best speeches of Grattan, of Canning, and of Brougham; and nobly, dauntlessly did he apply himself to secure success in this achievement. His eloquence swelled to the highest range of thought; his language was the most accurate and perfect; his arguments were the most irresistible, and when he resumed his seat, amidst the applause of the House, he had delivered the most powerful speech of the era in which he lived, and by its irresistible force had gained nine hostile votes to the support of the great question under discussion.

From this speech we insert the following: he is referring to *The Test Act*, and continues:—

"How was this act disposed of at the period of the Union with Ireland? It was allowed to continue until the United Parliament should take that subject into their consideration. I this night most seriously call upon that United Parliament to direct attention to its consideration. Backed by the original principles of the constitution, by the object and scope of the course of our history from the Reformation to the Revolution—backed by the concurrent declaration of the legislatures of England and Scotland on the first Union, and of the legislatures of England and Ireland on the last,—backed by the unimpeached loyalty, the unquestionable integrity of our Catholic fellow subjects recorded in the enactments of the Legislature, and guaranteed by their own oaths—backed by the numerous concessions of the last fifty years—by that spirit of Catholic conciliation which presided during the late reign, and which, if the arguments in favour of exclusion were at all tenable, would have been so many outrages on the principles of the Constitution—backed by the memories of the great lights and ornaments of that reign, of Dunning, Pitt, Fox, Burke, Sheridan and Windham—backed, I say, by the name of every

man who possesed buoyancy enough to float down the stream of time;—I feel that I have made out—I had almost said that I have established—the position that I sought, triumphantly. But when I look around me, and reflect on those whom I miss, and who were present when I last had the honour of addressing the House on this question, I am checked. When I reflect that since that period we have lost Whitbread, the incorruptible sentinel of the Constitution—that we have lost the aid of the more than dawning virtues of Horner—that we had then Romilly, whose mature excellencies shed a steady light on his profession, on his country, and his nature—that Elliot, the pure model of aristocracy—that the illustrious Ponsonby, the constitutional leader of the ranks of Opposition in this House, revering alike the privileges of the Crown and the rights of the subject,—are no more:—but above all, when I dwell upon that last overwhelming loss—the loss—the loss of that great man in whose place I this night unworthily stand; and with the description of whose exalted merits I would not trust myself;—God knows I cannot feel anything like triumph! Walking before the sacred images of these illustrious dead, as in a public and solemn procession, shall we not dismiss all party feeling, all angry passions, and unworthy prejudices? I will not talk of triumph; I will not mix in this act of public justice, any thing that can awaken personal animosity. I do submit, however, that I have established the point with which I started. I believe that many members are present who have never by their vote given an opinion upon this subject; many who have entered the House, anxious to be informed, and, if not deterred, to render justice if justice shall appear to have been withheld. I trust that they will not allow themselves to be dictated to by any man who may get up and assail their ears with such phrases as, 'the glorious principles of the Constitution'—'the sacred principles of the Reformation,' without showing that they have either been infringed or violated. Will they not require that these historical facts should be met and disproved by historical facts? Are the Catholics to be dismayed by one who gives them words instead of reasons, and who deals in gratuitous assertions instead of substantial arguments."

In another section of his speech he exclaimed:—

"I would unite the Catholic by every affection and by every good feeling of his nature—by every motive that can operate upon his heart and head—by every obligation that can bind his conscience, and every argument that can convince his understanding, not so much by adding to his power as by removing every offensive exclusion—every unworthy distinction. Now what is the object of the Right Honourable Gentlemen? To leave him as he is. Gracious Heaven! To have the great majority of the people of Ireland bound by every law of nature to aim at the subversion of the state; for to me the subversion of the state is the subversion of the establishment. I do not propose here to strike the shackle from his limbs, for he is free; but to remove the brand from his forehead, for he is stigmatised. I would not have him a marked man and a plotting sectary, but would raise him to the proudest rank that man can attain,—to the rights

and privileges of a free-born subject. Do not, I entreat you, as sincere friends to the Protestant establishment, reject this appeal for justice and grace. Do not drive your Roman Catholic brother from your bar a discontented sectary. Do not tell him who wishes to be a friend, that he is, and ought to be an enemy. The power of all may depend upon their numbers, wealth, professions, upon their interest in commerce and manufactures, and upon their rank in your fleets and armies. These are and have been, the imperishable materials of political power since the foundation of the civilized world; gold and steel are the hinges of the gates of political power, and knowledge holds the key."

The speech excited the admiration of all. Lord Dudley wrote to the Bishop of Llandaff, "I wish you had heard Plunket; he had made great speeches before, but in this he far surpassed them all. I have not heard, for many years, such an astonishing display of talent: his style is quite peculiar—for its gravity and severity, I prefer it to all others of which I ever heard a specimen." Twenty-three years afterwards Peel referred to it in the course of debate, and said; "It stands nearly the highest in point of ability of any I ever heard in this House; combining the rarest powers of eloquence with the strongest powers of reasoning." Old Charles Butler, who had heard the great Lord Chatham, said, "it was never surpassed in the British Senate."

Whilst thus securing his position in Parliament, his reputation at the Bar continued to increase, and men looked upon him as one to whom all the highest offices in the legal profession were open. But amidst his successes domestic grief cast its shadow round him—Mrs. Plunket died on the 14th day of March, 1821, after a happy wedded life of thirty years.

On the 15th of January, 1822, Plunket was once more appointed Attorney General. One of his first official acts was the conducting the prosecution for the Crown, in what is known as the "Bottle-Riot" trial;* or the prosecution of the rioter who, excited by party feeling, in the Theatre Royal hurled a bottle towards the box in which Lord Wellesley, the Viceroy in 1822, was seated. The trial was the trial of a faction rather than of an individual, and the "Orange" and "Liberal" parties were deeply interested in the result. The jury were supposed to lean to the former section, and the chief difficulty Plunket

* Rex v. Forbes and others.

had to surmount, was the suspicion or prejudice which might lurk in their minds against the policy of the Government. Every body knows, that the Glorious, Pious, and Immortal Memory of that great King, William the Third, has been long the charter toast of the Orange party, and Plunket, in endeavouring to gain the good will of the supposed hostile jury, introduced, in his address, the following splendid eulogistic passage, in describing the character of the wonderful man who, as Macaulay writes, at twenty-three years of age "had put domestic factions under his feet; and was the soul of a mighty coalition." Plunket said:—

"There is not perhaps to be found in the annals of history a character more truly great than that of William the Third. Perhaps no person has ever appeared in the theatre of the world, who has conferred more essential and more lasting benefits on mankind: on these countries, certainly none. When I look at the abstract merits of his character, I contemplate them with admiration and reverence. Lord of a petty principality—destitute of all resources but those with which nature had endowed him—regarded with jealousy and envy by those whose battles he fought—thwarted in all his counsels—embarrassed in all his movements—deserted in his most critical enterprizes, he continued to mould all these discordant materials, to govern all these warring interests, and merely by the force of his genius, the ascendancy of his integrity, and the immoveable firmness and constancy of his nature, to combine them in an indissoluble alliance against the schemes of despotism, and the universal dominion of the most powerful monarch of Europe, seconded by the ablest generals—at the head of the bravest and best disciplined armies in the world—and wielding without check or control the unlimited resources of his empire. He was not a consummate general. Military men will point out his errors; in that respect fortune did not favor him, save by throwing the lustre of adversity over all his virtues. He sustained defeat after defeat, but always rose, *adversa rerum immersabilis unda*. Looking merely at his shining qualities and achievements, I admire him as I do a Scipio, a Regulus, a Fabius—a model of tranquil courage, undeviating probity, and armed with a resoluteness and constancy in the cause of truth and freedom, which rendered him superior to the accidents which control the fate of ordinary men. But this is not all—I feel that to him, under God, I am at this moment indebted for the rights I enjoy as a subject of these free countries—to him I owe the blessings of a civil and religious liberty, and I venerate his memory with a fervour of devotion suited to his illustrious qualities and his godlike acts."

We consider this character of William the Third in no respect inferior to the eloquent descriptions of the same Monarch given by Hallam and Macaulay: and it proves how eminently

qualified Plunket was to discharge the most important and most difficult duties of his profession.*

From this period, to the year 1827, Plunket's life was unmarked by events either exciting or remarkable. Canning had been his friend during all these years, and when, in 1827, that distinguished statesman became Prime Minister, Lord Lyndhurst was raised to the Chancellorship, and Plunket was nominated to the vacant Mastership of the Rolls, in England. This office, however, Plunket retained not more than two days, and resigned it reluctantly, owing, as Charles Phillips states, "to a cabal which had been raised against him as a stranger. Its members forgot how many Chancellors the English Bar had vouchsafed to Ireland—a few whom it could afford to spare without loss or inconvenience."

He was not, however, completely forgotten by the Minister, and on the 18th of June, 1827, he was elevated to the Chief-Justiceship of the Common Pleas in Ireland, and created Baron Plunket of Newtown, in the county of Cork. He took for his motto, that famous one of Erasmus, Festina Lente.

Of Plunket as a man and as a Lawyer, Sheil gives the following account in his *Sketches of the Irish Bar*:—

"Of all the eminent lawyers I have heard, he seemed to me to be the most admirably qualified for the department of his profession in which he shines. His mind is at once subtle and comprehensive: his language clear, copious, and condensed: his powers of reasoning are altogether wonderful. Give him the most complicated and doubtful case to support—with an array of apparently hostile decisions to oppose him at every step—the previous discussion of the question has probably satisfied you that the arguments of his antagonists are neither to be answered nor evaded—they have fenced round the rights of their clients with all the great names in equity—Hardwicke, Camden, Thurlow, Eldon:—Mr Plunket rises: you are deeply attentive, rather from curiosity to witness a display of hopeless dexterity, than from any uncertainty about the event. He commences by some general undisputed principle of law, that seems perhaps at the first view not to bear the remotest relation to the matter in controversy; but to this he appends another and another, until by a regular series of connected propositions, he brings all down to the very point before the Court; and asserts, nay demonstrates, that the Court cannot decide against him without violating one of its most venerated maxims. Nothing can be more masterly than the

* See Hallam's fine character of William the Third—"Constitutional History of England," Vol. II. p 466. Ed. 1827: see Macaulay's eloquent description of William's character and achievements, "History of England," Vol. II. p. 165; and see IRISH QUARTERLY REVIEW, Vol. I. No. 2, pp. 166, 167, where these passages are quoted at length.

manner in which all this is done. There is no ostentation of ingenuity and research. Everything is clear, simple and familiar. You assent without a struggle to each separate conclusion. It is only when you are brought to the ultimate result that you startle at discovering the consummate skill of the logician, who by wily and imperceptible approaches, has gained a vantage point from which he can descend upon his adversaries, and compel them to abandon a position that was deemed impregnable. But Lords Hardwicke, Thurlow, Camden, &c., are said to be against him. The advocate accordingly proceeds to examine each of these authorities in detail—he analyses their language—by distinctions that seems natural and obvious, but which in reality are most subtle, he shows how capable it is of various interpretations—he confronts the construction contended for by conflicting decisions of the same judges on other and similar occasions—he points out unsuspected anomalies that would arise from adopting the interpretation of his adversaries, and equally unsuspected accordances with general principles that would follow his own. He thus goes on, until by reiterated processes of matchless sagacity he has either neutralised or absolutely brought over to support himself all the authorities upon which his openents most firmly relied; and he sits down, leaving the Court if not a convert to his opinion, at least grievously perplexed to detect and explain the fallacies upon which it rests. The effect of Mr Plunket's powers is greatly aided by his external appearance. His frame is tall, robust, and compact. His face is one of the most striking I ever saw; and yet the peculiarity lies so much more in the expression than the outline, that I find it not easy to describe it. The features on the whole are blunt and harsh. There is extraordinary breadth and capacity of forehead; and when the brows are raised in the act of thought it becomes intersected with an infinite series of parallel lines and folds. Neither the eyes nor brows are particularly expressive; nor indeed can I say that any of the other features would singly indicate the character of the man, if I except a peculiar muscular largeness and rigidity about the mouth and lips, from which you may collect, that smiling has 'never been their occupation.' The general character of Mr Plunket's countenance is deep seriousness—an expression that becomes more strongly marked from the unvarying pallor that overspreads his features. It is literally 'the pale cast of thought.' Some have accused his physiognomy as being unsocial and austere. To me it appeared that the signs of those qualities have been confounded with the natural and now indelible traces of a grave and vigorous intellect, habitually absorbed in masculine investigations, and preferring to dwell in the midst of its own thoughts. Nor do I find anything repelling in the circumstance that his features seldom descend for a moment from their dignity. Mr Plunket's manner is not rhetorical—it is (what I consider much better) vigorous, natural, and earnest. He has no variety of gesture, and what he uses seems perfectly unstudied. He is evidently so thoroughly absorbed in his subject, as to be quite unconscious that he has hands and arms to manage. He has a habit when he warms, as he always and quickly does, of firmly closing both hands, raising them slowly and simultaneously above his head, and then suddenly striking them down with extraor-

dinary force. The action is altogether ungraceful: but its strength, and I would even add, its appropriateness to the man and to his stern simplicity of character and style, atone for its inelegance. Besides, this very disdain of the externals of oratory has something imposing in it: you are made to feel that you are in the presence of a powerful mind that looks to itself, alone, and you surrender yourself more completely to its guidance from the conviction that no hackneyed artifice has been employed to allure your confidence. Mr Plunket is a memorable, and I believe, a solitary instance of an eminent barrister whose general reputation has been increased by his parliamentary efforts. His speeches on the Union in the Irish House of Commons, raised him at once to the first class of Parliamentary orators. When he was returned by the University of Dublin (in 1812) to the imperial senate, Curran publickly predicted that his talents would create a similar sensation here: I need not add how completely the prophecy has been fulfilled. It would lead me too far to enter into a minute examination of Mr Plunket's parliamentary style and manner; in many points I should have to repeat some of the foregoing remarks. I cannot, however, forbear to observe that his language and views in the House of Commons discover a mind that has thoroughly escaped the noxious influence of his professional habits. He has shown that it is possible for the same person to be a most subtle and dexterous disputant upon a technical subject, and a statesmanlike reasoner upon a comprehensive one. I have thus attempted to present a sketch of this eminent Irishman, in matters of intellect unquestionably the most eminent that now exists. If I intended it to be anything but a hasty sketch, I should feel that I have been unjust to him: some of his powers—his wit and irony for example, in both of which he excels, and his cutting and relentless sarcasm where vice and folly are to be exposed—have been altogether unnoticed; but this is the '*versatile ingenium*,' and in offering the result of my observations upon it, I have been compelled to select rather what I could best describe, than what I most admired: and even if I had succeeded in a delineation of all the powers that raise Mr Plunket above ordinary men, I should have had to add that our admiration of him is not limited by what we actually witness. We speculate upon his great attributes of intellect, and ask, 'what might they not have achieved, had his destiny placed him in the situation most favourable to their perfect developement? If instead of wasting them upon questions of transitory interest, he had dedicated them solely to the purposes of general science—to metaphysics, mathematics, legislation, morals, or (what is but spoken science) to that best and rarest kind of eloquence which awakes the passions only that they may listen to the voice of truth—to what a height and perance of fame might they not have raised him? These reflections perpetually force themselves upon Mr Plunket's admirers: we lament to see the vigour of such a mind squandered upon a profession and a province. We are incessantly reminded, that, high and successful as this career has been, his opportunities have been far beneath his resources, and thus judging him rather by what he could do, than what he has done, we are disposed to speak of him in terms of encomium which no records of his genius will remain to justify."

Plunket was Chief Justice of the Common Pleas until the 23rd day of December, 1830, when he was nominated to the Chancellorship of Ireland, by the newly appointed Whig Ministry. He held the post until November, 1834, and was reappointed on the 30th of April, 1835.

In the year 1841, the Whigs were tottering, Plunket had fought their battles for years, but was now, for party purposes, useless. Campbell, their English Attorney-General, was anxious for higher official position. Brougham had surpassed him; Pepys, the Solicitor-General, had been, contrary to usual precedent, raised to the Chancellorship of England; Bickersteth, Lord Langdale, had likewise been promoted in Campbell's stead; none of the English Judges could be induced to resign their seats, and on the 18th of June, 1841, Plunket was hustled from the Irish Chancellorship to gratify the vanity of him who had boasted—"Here I am, Attorney-General for England and Member for Edinburgh, plain John Campbell." Every member of the two branches of the legal profession; every Irishman who remembered that the contemned old man had been once the glory of the country; every Roman Catholic who could remember his former years of degradation and of oppression, felt the indignity offered to Plunket as an injury to himself, and the country believed the whole affair to be a political outrage of the grossest and most unwarrantable character.

An address, signed by eighty-five lawyers of all shades of politics, was presented to Thomas Dickson, the Father of the Bar, requesting him to call a meeting of the profession, for the purpose of protesting against the nomination of Sir John Campbell. The meeting was called, and fixed for Tuesday, the 22nd of June.

Upon the last day of Plunket's appearance in Court every portion of its space was densely thronged. He decided some few cases, and in one of them referred "to the person who was to succeed him in the office he then filled." At the conclusion of the business of the day, Richard Wilson Greene, now one of the Barons of the Exchequer, then first Sergeant, as the senior of the Bar present, rose to address the Chancellor, and spoke thus.

"I presume, my Lord, it is not your Lordship's intention to sit again in this court; I therefore rise, as the senior in rank of the members of the Bar now present, and with the full concurrence of the brethren of my profession," (here all the members of the bar

rose simultaneously) "to address your Lordship a few words before your retirement from that bench over which your Lordship has for many years presided." (Lord Plunket then arose from his seat, and advanced to the front of the bench.) The learned sergeant proceeded:—"My Lord, we are anxious to express to your Lordship the sense we entertain, not only of the ability, the learning, the patience, and the assiduity which have marked your Lordship's administration of the high and important functions committed to your Lordship's charge, but also, my Lord, of the courtesy, kindness, and attention which we have all personally experienced at your Lordship's hands, in the discharge of our professional duties in this Court. We gratefully acknowledge, my lord, the disposition you have ever shown to accommodate us all—a disposition by which we all admit your Lordship was ever actuated, without regard to personal circumstances or to our political feelings or predilections. We trust, my Lord, it will be said that this feeling on our part will be as general and as universal, as the kindness on your part has been uniform and uninterrupted. My Lord, it is needless for us to dwell here, for the purpose of commenting upon the talents and endowments which have raised your Lordship to the high position from which you are about to retire. They are, my Lord, recorded in our history, and they will long live among the proudest recollections of our countrymen. From a sense of these, we offer to you our present tribute of the profoundest admiration and respect; and, my Lord, it is gratifying for us to add, that at no period of your Lordship's career have they ever shone in greater lustre than at this moment. My Lord, with warmest wishes for your Lordship's happiness in that retirement, which none is more fitted than your Lordship to adorn, we respectfully bid your Lordship farewell."

When the Bar had concluded their address, the Attorneys presented theirs, at the close of which, amidst the stillness of the anxious Court, Plunket said—

"It would be great affectation on my part if I were to say that I do not feel to a considerable degree at the prospect of retiring from a profession, at which I have for a period of more than fifty years of my life been actively engaged—a period during which I have been surrounded by friends, many of them warm ones, (his lordship then paused evidently much affected)—without exception—many of them are now no more—some of them, nay many of them I see at this moment around me. This retirement from the active scenes in which I have been so long engaged, and which have become as it were incorporated with my life, I cannot help feeling, and feeling deeply. It has however, in some degree been alleviated by the prospect of the repose which is probably better suited to this period of my life, and which perhaps would have earlier induced me to retire but for events of a particular description which have latterly occurred; but independent of this I must say that any pain I would have felt has been more than alleviated by the kind and affectionate address which has been offered to me by my friend Sergeant Greene, and which has

been so cordially assented to by the members of both professions. I am not unconscious that in the discharge of those duties, my ability for which has been so over-rated by my friend Sergeant Greene, I have been led into expressions of impatience which had been much better avoided; for any pain that I have given in doing so, or any feelings that I have hurt, I sincerely apologise, and I am grateful to the profession for not having attributed to inclination any such observations; and I must say that whatever any such expressions may have been, they never have influenced me. It is a sentiment that I trust never will influence me; and I am now able to say, that in retiring from my profession I do not carry with me any other sentiment than that of affectionate consideration for all and every member of the profession. Now with respect to the particular circumstances which have occurred, and the particular succession which is about to take place in this court, it will become me to say very little. For the individual who is to occupy the situation I now fill, I entertain the highest political and personal respect—no one can feel it more so—but I owe it as a duty to myself and the members of the bar to state that, for the changes which are to take place I am not in the slightest degree answerable; I have no share in them, and have not directly or indirectly given them my sanction. In yielding my assent to the proposition which has been made for my retiring, I have been governed solely by its having been requested as a personal favour by a person to whom I owe so much, that a feeling of gratitude would have rendered it morally impossible that I could have done otherwise than to resign. When I look at the Bar before me, and especially the number of those who might have sat efficiently in this judicial place, I am bound to say that for all those great ingredients which are calculated to enable them to shine as practitioners, and as members of the Bar, or as gentlemen, for candour, for courtesy, knowledge, and ability—I challenge competition—I challenge the very distinguished Bars of either England or Scotland, and I do not fear that those I have the honor of addressing would suffer in the comparison. To them, for their repeated kindnesses I am deeply indepted. I do assure them that when I retire into quiet life, I will cherish in my heart the affectionate kindness and attention which I experienced at their hands."

Plunket was deeply affected during the delivery of this parting address. At its conclusion he bowed to the Bar, and left the Court, leaning upon the arm of his friend Sir Michael O'Loghlen, Master of the Rolls.

On the day succeeding Plunket's farewell, the meeting of the Bar which had been called assembled, to the number of about one hundred and fifty, and the following address to the Queen was agreed upon:—

"TO THE QUEEN'S MOST EXCELLENT MAJESTY.

The humble Address of the Bar of Ireland.

Your Majesty's loyal and faithful subjects, the Members of the Bar of Ireland, approach your Majesty with the deepest attachment

to your Majesty's person and throne. The members of the Bar of Ireland assure your Majesty that they view with the deepest respect, every branch of your royal prerogative, and acknowledge with gratitude your Majesty's gracious anxiety to regard, in the exercise of that prerogative, the interests and wishes of every class of your Majesty's subjects, when founded in justice, and known to your Majesty. The highest judicial office in Ireland having lately become vacant, (an office, heretofore, occasionally filled by members of the English Bar,) the members of the Bar of Ireland beg leave most respectfully to submit to your Majesty, that, inasmuch as all judicial offices in England are uniformly filled by members of the English Bar, so, in justice to your Majesty's faithful Irish subjects, all judicial offices in Ireland ought to be filled uniformly from the Irish Bar—and they trust that among that body will be always found persons worthy to fill such offices, and deserving of your Majesty's confidence.

THOMAS DICKSON, Q.C.,
Father of the Bar of Ireland."

A protest against this address was circulated some days afterwards, signed by one hundred and forty-eight lawyers, amongst whom were Blackburne; the present Master of the Rolls; the present Baron Greene, and Keating, Judge of the Prerogative Court. There were, however, very many members of the profession who, whilst they refused to sign the address, refused emphatically to sign the protest. Amongst the most remarkable were the late Chief Justice Pennefather; the present Chief Justice Lefroy; Monahan, now Chief Justice of the Common Pleas; the present Mr. Justice Moore; Hatchell, the late Attorney General; Master Brooke; Fitzgibbon; Mr. Sergeant Stock; Pigot, now Chief Baron of the Exchequer; Jackson, now Justice of the Common Pleas; and Mr. Jonathan Henn.

Those who know Ireland and the Irish Bar; those who are aware of the separation which exists, from political and religious causes, in this country; those who have marked the discriminating and delicate coyness which distinguishes the conduct of the Irish Bar in all combined political action, can readily appreciate the very great excitement which must have prevailed before the men whose names are here written, gave such public evidence of their sentiments on so important an occasion. It was resolved that a Bar Levee should be given to Plunket; it was held at his House in Stephen's Green, that house which is now occupied by the University Club, and was attended by, we may state, the entire legal profession.

Lord Campbell held the Irish Chancellorship for a few weeks. That *he* might return to private life a retired Chancellor, one of the last great men of Ireland was driven from that office

to which his public services entitled him, and for which his acquirements qualified him, and which was the reward of a long life of public honesty and of unselfish patriotism. Plunket thought, Ireland thought, that it was a degrading insult. As Sir Robert Peel said, when speaking in the year 1844 of the manner in which Lord John Russell had wrested the seals of Ireland from the weakened hands of her old champion, to present them to a Scotchman, who had been considered unworthy to sit upon the English Woolsack—"in order to gratify that learned individual with a six weeks' tenure of office the people of Ireland were subjected to an affront, which whatever the public may think of my disposition towards that country, I declare if I had offered them I would not have retained office a single hour."

As a lawyer Plunket was not very deeply read, but as an advocate he was unsurpassed. The specimens we have inserted from his Bar speeches are quite sufficient to prove this statement. He was, in Court, frequently witty, often humorous; a keen observer of men, he was an admirable direct or cross-examiner; as a judge, we was not of the highest order of intellect, his mind was forensic rather than administrative. Great in the forum, powerful in every art that the ever-changing phases of a trial or of an argument may require, he closely resembled that great orator, Erskine; but, unlike Erskine, his energy, his power, and his genius, bore him to the highest and noblest Parliamentary reputation. Sir James Mackintosh, who knew the exact mental worth of every man with whom he had been brought into collision, notes, in his journal, "If Plunket had been regularly trained to the British House of Commons, he would have been the greatest speaker there that he remembered." Sir Jonah Barrington, too, who dedicated his *Rise and Fall of the Irish Nation*, to Plunket, was of opinion that amongst the entire body of the members of the Irish Parliament who afterwards became representatives in the Imperial Legislature, Plunket, next to Grattan, was the most distinguished; and we may accept this testimony as important, for few were better qualified to judge of those who defended Irish independence, than Barrington. Writing of Bushe, Lord Brougham observes—"We have not the condensed and vigorous demonstration of Plunket; we have not those marvellous figures, sparingly introduced, but whenever used, of an application to the argument absolutely magical. Let no one hastily suppose that this is an exaggerated description of Lord

Plunket's extraordinary eloquence. Where shall be found such figures as those which follow—each raising a living image before the mind, yet each embodying, not merely a principle, but the very argument in hand—each leaving that very argument literally translated into figure! The first relates to the Statutes of Limitation, or to prescriptive title:—'If Time destroys the evidence of title, the laws have wisely and humanely made length of possession a substitute for that which has been destroyed. He comes with his scythe in one hand to mow down the monuments of our rights: but in his other hand the law-giver has placed an hour-glass, by which he metes out incessantly those portions of duration which render needless the evidence he has swept away.' Explaining why he had now become a Reformer when he had before opposed the question:—'Circumstances,' said he, 'are wholly changed; formerly Reform came to our door like a felon—a robber to be resisted. He now approaches like a creditor; you admit the justice of his demand, and only dispute the time and the instalments by which he shall be paid.'"

Of Plunket's social powers much has been written, and told, and, from many sources, we have gathered the following tributes to, and specimens of, these powers.

In the year 1827 Moore met Corry in London, at the Opera, and noted the following witticisms of Plunket. "Corry," he writes, "told me a good deal about Plunket, of his amiableness, and even playfulness, when one comes to know him, notwithstanding that repulsive look and manner of his. Described a merry day with him and the Chief Justice (Bushe,) at the Pigeon House: their endeavours to out-pun each other; 'Well, that's as bad as his, isn't it?' 'No, no; mine was the worst, I appeal to all around.' Con Lyne was one of the party, and, on his undertaking to recite something, Plunket said, 'Come, come, Lyne, stand up while you do it; stand up, man, and nobody at least can say you're *Con-seated* (conceited.)' Mentioned Plunket's joke on some one saying, 'Well, you see————'s predictions have come true.' 'Indeed,' said Plunket, 'I always knew he was a *bore*, but I did not know he was an *augur*.'"

It is recorded that, in his own country town of Inniskillen, he defended a horse-stealer with such consummate tact, that one of the fraternity, in a paroxysm of delight, burst into an exclamatory, "Long life to you, Plunket! The *first horse I*

steal, boys, by Jekers, I'll have Plunket!" On being told that his successor in The Common Pleas, the late Chief Justice Doherty, had little or nothing to do, Plunket replied, "Well, he is equal to it." A clerk in the Court of Chancery, named Moore, prided himself upon his style of writing, his caligraphy, as he used to call it; and a frequent visitor to the Court was an attorney, named Morris, who was somewhat vain of his dress, and generally wore a bunch of flowers at his button-hole. "Plunket," said Bushe one day, while they were waiting for the Chancellor, "Why should this Court remind us of the road to Chester?" "I give it up," replied Plunket. "Don't you see," said Bushe, "we are near *Pen-man-Moore*." "I was stupid, indeed," rejoined Plunket "with *Beau Morris* opposite me." Being told of the appointment of a person who had the reputation of indolence, to a judicial office where there was little business, "It's the very Court for him!" he exclaimed, "it will be up every day before himself."

Until about the year 1820, there were no regular *Reports* of the Irish cases. All the new authorities were imported from England; so that the accident of a fair or foul wind might sometimes affect the decision of a cause. "Are you sure, Mr. Plunket," (said Lord Manners once) "that what you have stated is the law?" "It unquestionably was the law half-an-hour ago," replied Mr. Plunket pulling out his watch, "but by this time the Packet has probably arrived, and I shall not be positive." Charles Phillips writes:—

"I never saw Lord Redesdale more puzzled than at one of Plunket's best *jeux d'esprits*. A cause was argued in Chancery, wherein the plaintiff prayed that the defendant should be restrained from suing him on certain bills of exchange, as they were nothing but *kites*.—'Kites,' exclaimed Lord Redesdale; 'kites, Mr. Plunket? Kites never could amount to the value of those securities! I don't understand this statement at all, Mr. Plunket.' 'It is not to be expected that you should, my Lord,' answered Plunket,—'In England and in Ireland, kites are quite different things. In England, the *wind* raises the *kites*; but, in Ireland, the *kites* raise the *wind*.' 'I do not feel any way better informed yet, Mr. Plunket,' said the matter-of-fact Chancellor. 'Well, my Lord, I'll explain the thing without mentioning those birds of prey:'—and therewith he elucidated the difficulty."

When Sir Walter Scott visited Ireland, in the year 1825,

he became intimate with, and attached to, three very remarkable Irishmen,—Sir Philip Crampton, Plunket, and Anthony Richard Blake. It was whilst staying at Old Connaught that Plunket proposed to Scott they should pay a visit to the Seven Churches, and to St. Kevin's Bed. Scott insisted on entering St. Kevin's Bed, and after he had left the spot, Plunket told Cathleen, the guide, that Scott was a poet. "*Poet,*" said she, fancying that Plunket was quizzing her,—"the devil a bit of him faith,—he's a fine daycent gentleman —he gave me a half-crown." Plunket used to tell this story with considerable humor. Of those who, as we have stated, pleased Scott most of all whom he met in Ireland, Lockhart writes:—"The acute logic and brilliant eloquence of Lord Plunket he ever afterwards talked of with high admiration; nor had he, he said, encountered in society any combination of qualities more remarkable than the deep sagacity and broad rich humor of Mr. Blake. In Plunket, Blake, and Crampton, he considered himself as having gained three real friends by this expedition; and I think I may venture to say, that the feeling on their sides was warmly reciprocal."

We have heard it frequently asserted that Lord Plunket has said, "History is only an old Almanack;" we take this opportunity of showing the error of the assertion. In *Hansard's Parliamentary Debates,* Vol. XII. N. S. p. 808, in the debate on Sir Francis Burdett's motion for a Committee on the Roman Catholic Claims—February 28, 1825—Plunket spoke thus:—"Time, as had been said by one of the clearest observers of its effects, was the greatest innovator of all. While man would sleep or stop in his career, the course of time was rapidly changing the aspect of human affairs. All that a wise Government could do was to keep as close as possible to the wings of time, to watch his progress, and accommodate his motion to their flight. Arrest his course they could not; but they might vary the forms and aspects of their institutions, so as to reflect his varying aspects and forms. If this were not the spirit which animated them, philosophy would be impertinent, *and history no better than an old almanack.* The riches of knowledge would serve them no better than the false money of a swindler, put upon them at a value which once circulated, but had long since ceased." Mr. Secretary Peel, at page 820, replies—"My right hon. friend says, he would not convert the philosophy

of history into a miserable almanack, or represent experience as a swindler passing base money upon mankind. I agree with him, and I look back to history for the instructive lesson it affords, and consult experience upon the abuses of power in all ages." A portion of this extract, which we have printed in italics, has been considered very clever and approaching somewhat to an aphorism, but it is not original; thirty-four years before Plunket spoke it, Boswell had published, in his *Life of Johnson*, the following remarks: "*Johnson.* We must consider how very little history there is; I mean real authentic history. That certain kings reigned, and certain battles were fought, we can depend upon as true; but all the colouring, all the philosophy of history is conjecture. *Boswell.* Then, sir, you would reduce all *history to be no better than an almanack*, a mere chronological series of remarkable events."* Whether Boswell had ever seen the remark of Mercier, in his *Nouveau Tableau de Paris*, that "Malet de Pan's and such like histories of the Revolution, are no better *than an old almanack*," we know not; the observations of Boswell, and of Lord Plunket, may be, as Johnson would say, "a proof of coincidence, sir, but not of plagiarism."

Plunket was an excellent host, and few could propose a health with more feeling and grace. On one occasion he thus toasted his old friend Peter Burrowes:—"I know no man who has more to answer for. He has spent his life in doing acts of kindness to every human being but himself. He has been prodigal of his time, and his trouble, and his fortune, for his friends, to a degree that is quite inexcusable. In short, I know no way of accounting for such an anomaly, but by supposing him utterly destitute of the instinct of selfishness." On another occasion he proposed Bushe's health thus:—"Gentlemen, I am going to give you a toast; and it will be necessary for me to say a word or two, before I tell you what it is. If I were to say, I am going to give you the Solicitor General, perhaps you would be at a loss to know whom I mean. And if I were to say that I am going to give you the Chief Justice, I would certainly mention a very respectable and most distinguished individual; but it is not exactly him I mean at present. In order, therefore, that there should be no ambiguity, that

* See Boswell's Life of Johnson, Vol. III. p. 241 edited by Croker, Ed. 1831.

you may all perfectly understand who it is that I do mean, I beg leave to give you, the ornament of the Irish Bar; the man who has endeared himself to all who know him, not merely by the richness of his genius—not merely by the splendor of his eloquence—not merely by the captivations of his manner—not merely by the extent and the variety of his erudition;—but by the essential goodness of his heart and nature, which eclipses them all."

A witness was being examined by Plunket, and on cross-examination refused to answer, as the counsel put him into a "doldrum." A "doldrum" said the judge, Lord Avonmore,—"What is a doldrum? I never heard the word." "Oh! my Lord," replied Plunket, "its a well known affection; merely a confusion of the head arising from a corruption of the heart." The day upon which Lord Campbell was expected to arrive, for the purpose of assuming his Chancellorship, was remarkably rough and windy, and a friend remarked to Plunket how sick Campbell must be. "Yes," said Plunket, "but it won't make him throw up the seals." Such a man as this was Plunket. —Brilliant, eloquent, thoughtful, persevering, honest, and unswerving in friendship. The younger Grattan writes:—

"Mr. Plunket was a deep reader, a profound thinker, and a sagacious observer of mankind. He could learn quicker than any man; at one view he perceived the tendency of a measure, and saw from afar its errors and its consequences. His power of perception was great; his power of discrimination greater; and the clearness of his intellect was surprising. He was full of sense and judgment; he was a close and acute reasoner, a powerful debater, and most argumentative even when most eloquent. His speeches were ironbound on all sides, solid and compact; never exposing a weak point to his adversary. His eye discovered not merely reflection, but command, and his irony was the most effective and most to be dreaded; it was not simply dissecting the human body, but flaying it alive. When he arraigned Lord Castlereagh for his plan to buy the members, by a million and a half to be expended for the purchase of the boroughs, it was more than the denunciation of an injured and indignant mortal,—it was fire snatched from above; he soared beyond the low region where he was placed, to draw from a superior armoury the fittest weapons to defend his country, and poured down on the devoted head of her implacable foe the storm, and tempest, and lightning of his anger. All his speeches were remarkable, but his finest speeches were most finished performances, they were masterpieces of oratory; they contained profound views and answered everything. His speech on the Catholic question, in the Imperial Parliament, will long be remembered. He put forward the strength of their case in

a manner that not only caught the auditory, but drew from one of the greatest opponents of their claims the remark, that Plunket had done more to advance their cause in the House than any of their advocates; and from another, that his talents had excited the greatest admiration, and his convincing speech would never be forgotten. His speech on the French war in 1815 was powerful and masterly; no man in the House of Commons could have put the several cases of right to go to war, and of the right to interfere with the government of other states, in so powerful a manner; so clear, and each so distinct, like a stream that pours from the rock, strong and pellucid. His pleading in the case of the King against O'Grady was a masterpiece of forensic ability; so much so, that it was stated in private by one of the Judges, that *he had never known* what argument was until he heard Plunket in that cause. A common observer might consider him cold and cautious in private, but that was not his character; he possessed a humour at once agreeable and instructive, and in the minutest things he showed that his understanding was of the first order. Take him altogether, he was an extraordinary man. The son of a worthy Presbyterian clergyman in the north of Ireland, possessed of a small fortune, who died leaving a large family with little to support them, and this individual then a very young child. Deprived of his father, he managed to procure for himself the best education, and to gain the highest name in the University of Dublin; so high that he would not even accept a fellowship if it had been conferred upon him. He thence raised himself at the bar, and became a most distinguished advocate. He then got into the Parliament of both Kingdoms; the Irish Parliament first, the Imperial Parliament afterwards. He was advanced to the highest offices in the state,—Attorney General, Chief Justice, Lord Chancellor of Ireland. He was offered the Rolls in England, and finally received a British Peerage. All this he did,—not by dint of art or money,—not by stooping to the vulgar ways of low ambition, or of crafty pride,—not, as Lord Clare did, by abusing and selling his country—nor, as Lord Eldon did, by cringing and crouching to royalty; he excelled every where, and succeeded in almost everything; he upheld the rights of Ireland, defended her cause, and advanced himself solely by his gigantic abilities and fearless energy."

There is not a syllable of exaggeration in this beautiful tribute to the genius of a great man, who, like Wedderburn, united, at once, all the highest qualities of a lawyer, of an orator, and of a statesman. He might have been a poor man through life, had not his brother's bequest enriched him. He refused all patronage and all place from those whose friendship might be looked upon as the price paid for bartered principles. During life the base, virulent, falsehood of faction, from Cobbet's time, even to the day upon which the earth received his corpse, was ever ready to defame him. But when wealth and power were within his grasp, he resigned them because he

would not surrender old convictions. When the Roman Catholics were oppressed he was the foremost amongst their advocates. When a misled people came forth to fill the land with riot, to stain it with excess, and in demanding Reform, and freedom, fancied that Liberty was a blood-stained, fierce-eyed Amazon, not a calm and sacred spirit—Plunket saw that destruction was in their wild course, and gave all the advantage of his advocacy to the government that crushed the mad rabble in its hour of folly.

In the discharge of all his high duties he was ever just and diligent. Carefully and anxiously did he inquire into the law and facts of every case brought before him. The large as well as the great causes received his fullest attention. As an officer of the Crown, as a Chief Judge of the Court of Common Pleas, as Chancellor of Ireland, he was ever honest, fair, and impartial,—and, like Fuller's *Good Judge*—"His private affections were swallowed up in the common cause, as rivers lose their names in the ocean."

And thus in honor, and in peace, the latter years of Plunket's existence passed calmly away. As time rolled by the friends of early days fell around him, and Burrowes, and Bushe were the last to linger by him, each "proud," as Bushe said, "to be the friend of such a man"—and when they died, it seemed as if, to Plunket, all memory of the great past had expired with them, and his closing years were clouded in forgetfulness.

But what a grand and noble intellect had been his! The poor puppets of this hour, who jabber when his name is uttered; the mean whipt hounds of faction, who howl and snarl as his life deeds are recorded, and his triumphs proclaimed, can never dare to deny his genius and his eloquence; and when the cry of place-man, of traitor, is raised, every honest man should remember how Plunket ever met these charges during his life, and how the slanderer was driven from the base trade, baffled, confuted, exposed. The records of the Irish Parliament, the records of the Imperial Legislature, the Reports of the Law Courts and of Parliament, the admiration of the Irish and English Commons, the esteem of the Legal Profession in his own country,—all prove Plunket's real character, all proclaim him to have been, in heart and deed, in each era of his long life, thoroughly and throughly—a patriot Irishman.

He died, at his seat, Old Connaught, near Bray, on Wed-

nesday, the fourth of January, 1854, and was interred, in Mount Jerome Cemetery, on Saturday, the seventh of the same month. The coffin bore the simple inscription:—

WILLIAM CONYNGHAM PLUNKET.
BORN JANUARY, 1764.
DIED JANUARY, 1854.
AGED 90 YEARS.

ART. V.—LIMITED LIABILITY IN PARTNERSHIPS.

1. *Report on the Law of Partnership, Together with the Appendix containing Communications to the Board of Trade Respecting the Law of Partnership.* Ordered by the House of Commons to be printed, 14th July, 1837.
2. *Report from the Select Committee on the Law of Partnership, Together with the Proceedings of the Committee, Minutes of Evidence, Appendix and Index.* Ordered by the House of Commons to be printed, 8th July, 1851.
3. *An Inquiry into the Policy of Limited Liability in Partnerships.* By Henry Colles, Esq., Barrister-at-Law, Dublin: J. M'Glashan, 1853.

HAVING already discussed the principle of limited liability in partnerships, and the propriety of introducing such a system, we have now to consider under what restrictions, and to what extent, we should ask for it the sanction of the legislature. Much more might be written in favor of this contemplated change, and considerable evidence accumulated, but that we foresee, for many reasons, that legislation on the subject is at hand, and that of the advantages of the introduction of such a measure there is now entertained but little doubt. We shall not, therefore, stop to expose the fallacy of the few arguments which do not come under some one of the classes already discussed, but conclude our remarks on this head with a passage from the evidence of one who, from his high position, intelligence and experience, may be considered as amongst the highest authorities on such a subject—we allude to the late Lord Ashburton, and which will be found in the appendix to the Report made by Mr. B. Kerr, to the Board of Trade, in 1837.

"I certainly have had opportunities of considering the sub-

ject, because, having passed a considerable portion of my life abroad, I have seen something of the working of the system of commandite partnership, and I must confess I am favorable to it: I think upon the whole it would be desirable: it would bring additional capital into commerce: it would favor the enterprise of men of talents with insufficient capital, and, generally speaking, I cannot help thinking that, under proper regulations, it would furnish sufficiently substantial security to commercial establishments. I have heard that this principle is objected to by persons whose opinions are entitled to respect, and I certainly should like to hear the subject adversely discussed, and to hear the objections to it stated; but my opinion has always been in favor of such a system, and I am not aware that it is objected to in those countries in which it has long existed. It would be necessary to be very particular in the regulations with respect to publicity, and with regard to the non abstraction of capital during the partnership in such establishments; but I believe those guards may, without difficulty, be introduced."

The objection made by Mr. Bellenden Kerr, (who thus admits the benefit of the limited liability law,) that the introduction of that system would involve us in a complex and cumbrous legislation, and lead to inextricable confusion, has induced us to point out the exact manner in which we think the change might be effected, and to give the heads of a bill for carrying out that object. Mr. Jones Lloyd (now Lord Overstone) also remarks:—"The difficulties of guarding against fraud and intricate litigation under the commandite system seems to be very great; it would be, perhaps, bold to declare that they are insuperable; they are, however, such as to form a very serious objection to the system, the exact force of which can only be correctly estimated when some specific plan for commandite partnerships is under consideration."

If any apology were required for entering into such minute practical details as we purpose, we should find, in the above evidence a sufficient justification.

In legislating on this subject there are two evils to be guarded against;—one, lest sufficient provision be not made for protecting from fraud;—the other, that in effecting that object we do not impose such stringent and undue restrictions as would render the law useless for its purpose.

With these two objects in view the following draft was

prepared. The basis on which it was principally framed is the existing law of commanditaire partnerships in the State of New York, which is itself based on the French law, a law that, longer than any other existing code, has recognized such partnerships. As we have already observed, this law is now in operation in nearly all the states of both the old and new worlds, and in each the same provisions are found. We have, however, in some instances, engrafted on the New York Code, provisions taken from the laws of other countries, and have made some alterations which are pointed at specific objections, and seem to be demanded, considering the suddenness and extent of the proposed change. Giving, then, the heads of such a bill, in order to meet what has fallen from the two principal opponents of the introduction of commanditaire partnerships, Lord Overstone and Mr. Kerr, we propose taking its provisions seriatim, and considering each of them in its double aspect; that they may neither render the law inoperative on the one hand, by unreasonable restrictions, nor, on the other, neglect to provide due safe guards against fraud.

The following are the provisions which we would submit for the consideration of the Legislature :—

1st—Limited partnerships, for the transaction of any mercantile, mechanical, or manufacturing business, with the exception of insurance, may be formed, subject to the following regulations and provisions :—

2—Such partnerships may consist of one or more persons who shall be called general partners, and who shall be jointly and severally liable, as general partners now are ; and one or more persons who shall subscribe for, and contribute such sums as may be agreed on as capital to the common stock, who shall be called special partners, and who shall not be liable for the debts of the partnership, beyond the sum subscribed for.

3—The general partners only shall be authorized to transact the business of the firm, which shall be carried on in the names of such general partners only, with the addition of the words, " Commanditaire Company."

4—The persons desirous of forming such a partnership shall make and severally sign a deed which shall contain the name, or firm, the intended business, the names and residences, and descriptions of the general and special partners, distinguishing the general from the special, the sum for which each subscribes, and the commencement and duration of the partnership.

5—A memorial of the contents of such deed, together with an affidavit of its perfection, shall be lodged at an office, to be provided for that purpose, and shall be open to public inspection, free of charge.

6—Advertisements, containing a correct abstract of the above specified particulars, shall be inserted in the two principal papers of the city or county in which such partnership is intended to be carried on, and in each city or county where branches of such firms shall be established.

7—Every renewal, continuance of, or change in, such partnership shall be certified, recorded, and advertised in the manner required for its original formation, and every such partnership which shall be otherwise renewed, continued, or altered, shall be deemed a general partnership; suits in relation to the business of the partnership may be brought and conducted, by and against the general partners, as if there were no special partners. No part of the sum which any special partner shall have contributed to the general stock shall be withdrawn by him in any shape whatsoever; and no sums by way of interest, other than those arising from profits shall be paid to such partner.

8—Judgment creditors of such firms may issue writs of execution against the goods of such special partners under the same restrictions, and in the same manner as writs of execution may be issued against the shareholders of companies incorporated by Act of Parliament, as provided by the Companies Clauses Consolidation Act.

9—Special partners shall be liable to the creditors of the firm to the amount subscribed by them; and the greatest amount received by them out of the profits during any one of the six years next preceding the insolvency of such partnership, deducting the sum actually paid in as part of the capital stock.

10—A special partner may, from time to time, examine into the state and progress of the partnership concern, and advise as to its management, but shall not further interfere in the business of the firm, under penalty of being deemed a general partner.

11—No clerk or other person employed, who shall receive as salary a proportion of the profits, shall be thereby subject to the liabilities of the concern in which he may be engaged.

12—Such a partnership shall be liable to all existing laws of bankruptcy and insolvency, with regard to fraudulent preferences and in all other respects whatsoever.

13—A special partner who shall be guilty of, or privy to any offence against the existing laws of bankruptcy or insolvency, or an infringement of the provisions herein contained, shall be deemed, and liable as a general partner.

14—Every person privy to, and an accomplice in any offence against the existing laws of bankruptcy or insolvency, shall be liable to be indicted and tried for such offence at any Court of Oyer and Terminer, or Quarter Sessions, and if convicted, shall be liable, in the discretion of the judge of such court, to the punishment provided for the principal offender in such cases, and the costs of such prosecution shall, in the discretion of such Court of Bankruptcy and Insolvency, be paid out of the estate of such insolvent firm.

15—When, and so soon as, such partnership shall sustain losses, amounting to not less than 50 per cent. of the subscribed capital, such fact shall be published and advertised within one fortnight from the time when such losses shall, or might, without wilful default, have been ascertained in the manner required on the original formation of such partnership.

16—Such partnerships, except as otherwise provided, shall, as regards the mutual rights and liabilities of the partners, and as regards third persons, be liable to all the rules and provisions of the existing laws of partnership.

The first of the above provisions, as to the extent to which this law should be admitted, although prior in point of time, we shall turn to lastly, as its consideration is of entirely a different character from all the others. Into the second we have introduced an ingredient not contained in the New York Code,—that it shall not be necessary that the entire capital should be actually paid in by the special partners. Our object in so doing was to facilitate the formation of such companies; and even in the *Irish Anonymous Partnership Act*, which has been considered so stringent and harsh towards commanditaires, it will be found that it was necessary only to pay in one-fourth of the sum subscribed for, previous to the formation of the partnership, and the other three-fourths within twelve months from that time. We feel very much pressed by the fact, that the New York Code, on the beneficial working of which we depend as an argument in its favor, requires the entire sum to be paid in. It will be admitted, however, on all sides, that no restrictions, save such as would be absolutely necessary should be imposed on the formation of these partnerships; and thus, although the existence of such a provision in the Code to which we have re-

ferred would imply its necessity, we do not think we should be estopped from enquiring into the reality of such a necessity, or, from forming for ourselves an opinion. The only question then on this point is, does the public protection require it? We think not, and for the following reason. The special partner subscribes for a particular sum, say, £1000; of this he pays in at once £200. These facts are made fully known to the public in the manner already mentioned, and it will be for third parties, dealing with that firm, to form for themselves an estimate as to whether or not that special partner is worth £1000, and they will treat with the firm accordingly. Such third parties will be in the position they now occupy in dealing with ordinary firms; they should, as now, form for themselves an estimate as to the means of each of the partners, and deal accordingly with the company, with this further stipulation, that such partner was only to be liable for the sum specified. We are at a loss to distinguish this case from that of a guarantee given for a particular sum; the special partner here puts in £200, and the remaining £800, as far as third parties are concerned, may be regarded as a guarantee to that amount for the debts to be incurred by the firm. Take it that £5000 is actually paid in, and that £20,000 more is subscribed for, to be called in as the partners may arrange among themselves. In dealing with such a firm, merchants and other persons will be exactly in the same position as if dealing with a trader who possesses a capital of £5000, and who has procured friends to guarantee his debts to the amount of £20,000. Nothing is more common, we should say, than for guarantees to be given in this way, for greater and lesser amounts, and we have never heard any complaints from persons to whom such guarantees are secured, that they think themselves in an unfair predicament, or less protected in such dealings than in any other.

We insert this provision as conformable with the ordinary mercantile usage of principal and surety, and can see no reason for distinguishing a special partner, paying one-half, one-third, or otherwise as the case might be, of the sums he subscribes for, from a trader entering into business with such sum actually paid in as capital, and with a surety for the payment of his debts to the extent of the remainder of the sum. Once for all we put this case for the commanditaires, or, as we shall continue to call them, the special partners, on the plain grounds of a contract entered into by them, like any other contract of principal and surety, with third parties,

and differing only in this, that other contracts are entered into by separate agreements with separate individuals; whereas, the contract entered into by the special partners with third parties is contained in the published register of the deed of partnership, interpreted and explained by the Public Act of the Legislature, and is made, free of further stipulation, with every person transacting business with the firm.

Regarding the subject then in this light, we shall not enter on the consideration of an argument that might be urged against this provision—that it would be only fair, as the special partners are receiving a boon, that in return they should make some sacrifice, and be prepared to suffer some inconvenience; we shall rather direct our care to secure that there shall be in the terms of the contract no unfair advantage given, either to those commanditaire partnerships, or to the public, in their dealing with each other. It is true that a merchant entering into an extensive and speculative contract would prefer doing so with a firm having a capital of £25,000, actually paid in, rather than one with an actual capital of £5000, and guarantees for its liabilities from different individuals for £20,000. He might not enter into that contract with the latter firm, though he would do so with the former, let him then act in his transactions with a commanditaire firm, we have already observed as with one possessing a capital equivalent to the sum actually paid in, and with guarantees according to the solvency of the individuals, for the remainder of the sum subscribed for.

The propriety of the third provision cannot be disputed; and if we were only to rely on the fact, that in every code in which such partnerships are recognized a precisely similar provision will be found, we should require its insertion. If, however, we refer back to the grounds on which we sought to have the limited liability system introduced into these countries, and find that our complaint was, that, under the existing law, people retiring from business could not leave their capital engaged in it, and that our object was to have capital, per se, on the one side united to industry without means on the other, we should be guilty of singular inconsistency in demanding for a man who would be an active partner—contributing both labor and capital, a limited liability. Without writing one word as to the justice or injustice of conferring such a privilege on persons who should come within the definition of general partners, we shall merely observe that in dispensing with this provision, the advocates of limited liability would stultify themselves, and demonstrate that they sought for something be-

side, or beyond, what in the first instance they demanded—a remedy for existing evils. The concluding part of this provision, as to the title of the firm, is for the purpose of meeting a specific objection, that the general public would not have constantly before them the character of the partnership, and would not be incited to enquiry and investigation. In framing this title we have, we think, selected the most convenient and business-like, as well as effectual, manner of describing such companies; and even in so small a matter as this, where the phrase should be so often used, we have thought it deserved time and trouble in the selection. We have found in the communication of Mr. J. M. Ludlow, a suggestion as to the manner in which such companies should be styled. He suggests the introduction of the words "commandite" or "limited liability"—thus "Brown, Butler and Co.'s Commandite,"—or "The Limited Liability Company."

We think, however, that the title we propose, and which conveys correctly that the company is one framed on the commanditaire system under the management of the general partners, would be found, as we have already observed, most convenient and business-like, as well for general purposes of communication, as for the purpose of book-keeping, furnishing accounts and drawing bills, and other instruments incidental to trade. The title of the firm which would run thus, "Brown, Jones and Smith, Commanditaire Company," or "Brown, Jones and Smith's Cre. Coy.," would also sound less strange than any other which could be suggested.

As regards the four following provisions, which are conversant about the formal execution, registration and publication of the deed of partnership, we cannot perceive in them anything that imposes extraordinary difficulty or trouble on the persons about joining such partnerships. In our former paper on this subject we commented on the advantage of having such a deed, declaring the sum subscribed, and to be accounted for in case of the insolvency of the firm. The expense and trouble on the co-partners will be but a trifle more than is now required for the usual co-partnership deed of settlement, and so useful and reasonable do we deem the execution and registration of partnership deeds in cases of insolvency, that we would require even partnerships under the existing law to be evidenced in this way. The main requirement of publication, irksome and disagreeable as it may be to persons to have their private business arrangements exposed in this way, seems to us one the necessity for which cannot be disputed:

besides, the principal case made by us for special partnerships requires the registration and due publication of the deed setting out all the particulars of the partnership. Provisions similar to these are also found in every code in which commanditaire partnerships are introduced. In settling upon the terms therefore of these provisions it is necessary to consider, merely in what manner, and by what machinery this object of having the deeds duly executed, registered and published, can be most readily and effectually attained.

It is for the purpose of simplifying legislation upon the subject that we have inserted the general provision that such partnerships may sue, and be sued, in the names of the several partners. We are aware that this very question, as to the difficulty and inconvenience of the existing law in proceedings by and against partners, is one of those subjects which have occupied legal reformers. The recent *Common Law Procedure Acts*, which have been passed, both for this country and England, provide for the serious evils consequent on the non-joinder or mis-joinder of parties, when partners are either plaintiffs or defendants in legal proceedings, by giving the judge before whom the case is tried the power of inserting or striking out names, when he considers such a course is not likely to unfairly prejudice the opposite party. With our provision, however, there can be no necessity even for an application to the judge, as the parties in whose names such firms are conducted, and none other, would be the proper persons to sue and to defend. The latter part of this provision, which is entirely our own suggestion, is intended to provide for what may be a very ordinary case—creditors being unable to find sufficient goods of the partnership off which to levy the amount of a judgment which they may have recovered against the firm. *The Companies Clauses Consolidation Act* enables the creditors of a company incorporated by Act of Parliament, the liability of whose shareholders is limited to the amount of their shares, when there are no sufficient goods of the Company to satisfy these judgments, to issue execution against any number of the shareholders they may choose, for the amount remaining uncalled on their shares, on obtaining liberty from a judge for that purpose, which will be granted on proof of the above facts. We consider such a provision as one to which special partners can have no right to object, as it merely confers a very proper and reasonable privilege on the creditors of such

firms, by enabling them, readily and efficaciously, to obtain payment of their just demands.

A very fair and well founded objection has been made to the limited liability of the commanditaire partners, that persons with capital might select one or two reckless adventurers as the general partners, and supply them with the means of embarking in some very speculative trade; that these general partners would be at liberty to engage in the most gambling ventures in which the risk would be very great, and the profits proportionably large, and that thus, by successful speculations during one or two years, the profits realized would be so large, that the special partners, whenever their schemes were unsuccessful and a crash came, would be quite easy about the result, their liability being limited, and the profits which they had divided being more than sufficient to cover the amount for which they were liable, and give them an ample return on the capital engaged. If the concern were lucky enough to escape destruction for a period, the amount of their subscription would be a mere bagatelle. To meet this case we have inserted the ninth provision, that in addition to the sum subscribed the special partners should be liable for the largest sum ever received by them, as profits, in any one of the six years preceding insolvency. It may be said that this will not be a sufficient safeguard against the evil. We think, however, it would, and for the following reasons;—firstly, few men will rush on such very wild speculations, or, as we have already remarked, act with their commandite capital, as if it were a stake thrown on a gaming table;—secondly, should they engage in such extensive risks, the amount of the greatest profits that has been made in one of a series of years will be so large as to provide in all reasonable probability, when added to the sum for which the special partners were originally liable, a fund sufficient to meet the demands on the firm. On the other hand, it may be objected, that this presses too harshly on the special partners, and will go a considerable length in rendering this Act nugatory. We do not think so; in our opinion the provisions in *The Irish Anonymous Partnership Act* which rendered it ineffectual, were those unmeaning regulations that hampered the partners in the formation of their company, in the subscription of their capital, and the division of their profits. We think that in return for that, which is somewhat of a boon, special partners should be prepared, on the insolvency of their firm, to have liberal measures taken to protect the creditors.

The tenth provision does not seem to us to require any observations, being one of mere routine, and about which we cannot see how any discussion could be raised. Neither do we consider the succeeding provision, for the case of clerks or shopmen receiving a portion of the profits as the remuneration of their services, serious and important though it be, as one which we shall be called on to defend. Of the useful results, both moral and political, which ensue on such permission, we have already written, and as we recollect, there is not one person who has offered any, the slightest, objection to such a provision. Of the twelfth clause we need only remark, that it is one of routine, and with regard to which there can be no question. The thirteenth we have introduced, considering as we have already written, that, in cases of insolvency, every fair and reasonable protection should be extended to the creditors of such firms, in order to limit the benefits of the Act to those who would honestly, and bona fide, enter into trade under its provisions, and by excluding knaves from its operation, prevent its being the means of saving dishonest traders from the consequences of their own frauds.

In wading through the mass of evidence which has been collected on this subject for the information of the legislature, and which appears in the Parliamentary Papers of 1837, and 1851, appended to the reports then made, one objection will be found to have been most frequently, and most strenuously urged—that the difference between the insolvent laws of France and England rendered nugatory any argument that might be based on the beneficial working of the system in France, and that it by no means followed that in England, with a totally different, and much less stringent Bankruptcy Code than that of France, the same law would have the same useful operation. Mr. M'Kenna,* who has analyzed and compared the bankrupt laws of these Kingdoms and of France, has shown the true value of this objection. On investigation we find that there is but little difference between these laws, except in the manner of carrying out their penal provisions, particularly that the French Law provides for the punishment of accomplices in any offence against the Code. The introduction of the French procedure of prosecutions, useful as it undoubtedly is, seems to us to require a bill framed for the ex-

* See his essay, published by Hodges and Smith, for the Statistical Society, 1854.

express purpose of amending our bankrupt laws. We do not think that it would be proper to attempt, in a bill for the modification of our present law of partnership, any patch work amendments of our insolvent laws, or to retard the introduction of the commandaitaire system, until an accurate and well matured bill has been prepared on the subject. The provision in the French Code, which constitutes the principal difference between the insolvent laws of the two kingdoms, that as to offences against the law, we have inserted in the fourteenth provision, subjecting accomplices in any offence against our present law, to a criminal prosecution and severe punishment on their conviction. This provision should have the effect of weakening considerably, if not of entirely removing, the above objection, which, when at first advanced, was considered as one of the strongest points that could be made against the proposed change, and made, we should imagine, on the usual grounds of taking "omne ignotum pro terribili."

The fifteenth provision is one which we have adopted from the Dutch Code, although not found in the French, or in many others. On the first view, the reason for such a rule does not appear, but we find the evil which might otherwise ensue very correctly and providently suggested by Mr. E. A. Wilde, an eminent solicitor, whose evidence is appended to the Report, already quoted as having been made in 1837. The substance of his objection is, that a partnership with limited liability might be originated in 1836, with a capital of £5000, either actually paid up, or subscribed for. In 1840 this sum may have been entirely lost, yet if a person about entering into contracts with the firm makes inquiry, and goes to the registry office, he is informed that the capital of the Company is £5000. He acts on this assumption, and is thus induced to deal with the firm which may be actually insolvent. This would be a monstrous grievance, and it is to provide for such cases, and a sufficiently ample provision it seems to us to be, that we have adopted this rule of the Dutch Code. As regards the sixteenth provision, with respect to the general rights and liabilities of the partners' interest, and as regards third parties, although we are aware there is much that requires reformation, yet for the present, and until that reformation be effected, we do not think that any thing so feasible can be proposed to enable us to enjoy speedily the advantages of the system, the introduction of which we advocate. No

difficulty in the practical details, or in the working of this provision, so far as it is reconcilable with the other special provisions, suggests itself to us. We fear that we have dwelt at too great length on this subject, particularly as regards the general reader; but we thought that the challenge which had been given by Lord Overston should be met, and the insinuation that no possible practicable plan could be proposed which would not disclose the objections to the system, should be explained away.

With regard to the propriety of confining the benefits of the limited liability system to particular branches of trade and commerce, it seems to us that, with the one exception, that of insurance, which we have made, no sufficient, if any, reason can be offered, the best authorities are agreed as to the propriety of its liberal introduction.

On this point Mr. Mills says, "I do not see any weight in the reasons for confining the principle to certain kinds of business, or for making certain employments an exception to it. The prohibition of commandite is, I conceive, only tenable on the principle of the usury laws, and may reasonably be abandoned since those principles have been given up."* Mr. Van der Oudermeulen, an ex-President of the Netherlands Trading Company, and Privy Counsellor in Holland, writes thus:—"I have no objection to state, that, as far as my experience goes, and as I have heard, the limited liabilities of partners, either in Joint-Stock Companies, or in Societies *en Commandite*, works well in Holland, and not only in respect of general enterprises, but also for banking and insurance." We might collect many more favorable opinions as to a liberal introduction of the system. We conceive, however, as we have already written, that it is much more satisfactory to reason out for ourselves, from the evidence upon the subject, the course which we should adopt, rather than be led blindly by the expressed opinions of men, whether practical or theoretical authorities upon the question. The absence of evidence upon this point must be a source of considerable regret, and may, we fear, lead to some delay in legislating upon the subject.

On this part of the question also, we must lament that we have had so little discussion, for hitherto the sole enquiry has been as to a matter about which there can be now little controversy—the abstract proposition as to the advantages of the sys-

* Appendix to Report of 1851, p. 160.

tem, and the necessity for its introduction. We do not think that hasty legislation would be desirable; we mean hasty as to the extent to which this reform should be carried out. It would be satisfactory to have the evidence of experienced mercantile men on the point, and to hear whether any, and what objections could be pointed out to applying this law to particular branches of commerce. It is with over anxiety that we offer this suggestion, because, were we to judge from other codes, and the extent to which their framers have recognised this system, and to be guided by our own reason in the matter, we should have no hesitation in pronouncing that to the full extent proposed by us such partnerships should be recognised.

In the state of New York from which we have such favorable accounts of the working of this system, it is expressly provided that "limited partnerships for the transaction of any mercantile, mechanical, or manufacturing business within this state, may be formed of two or more persons, upon the terms, with the rights and powers, and subject to the conditions and liabilities herein prescribed, but the provisions of this title shall not be construed to authorize any such partnership for the purpose of banking or insurance." In most of the other states the same object is effected in different modes, as by charters obtained at a trifling expense, and incorporations under particular Acts of the Legislature for the different branches. The strong, and, as it seems to us, the conclusive argument in favor of this application of the limited liability system to all branches of trade and manufacture is, that after ascertaining the advantages to be derived from the commandite principle, it is for those who would except particular branches of trade or commerce to make out a case for this exclusion. The onus lies with them, and with the mercantile experience of such men as Mr. Jonathan Pim to support us, we may assert that in Ireland the system will be received as a great and progressive movement.

Our principal reason for excepting insurance companies is, that such associations tend in no way to advance trade and manufactures, or to effect the great object proposed, by encouraging the union of capital and industry. Such companies could meet but one of the existing evils, the want of a fair and profitable investment of money by small capitalists. This evil, it must be remembered, we should not have to provide for if we had the commandite principle applied to all other commer-

cial pursuits, as an abundance of opportunities would be given for the profitable investment of such small capitals. An argument such as this, we are aware, requires to be used with caution, as, if it were pressed to its full length, it might be made use of to fritter away the demand for an extended and liberal sanction of limited liability by the legislature. Again, however, we entertain some doubts as to the propriety of allowing insurance companies to be formed without very jealous safeguards being imposed on them, as, from the nature and course of their dealing, we consider them as opening a door to fraud with a facility unattainable in any other branch of business. In such companies little or no capital may be called for until many years have elapsed. They enter on the receipt of annual premiums, paid by people who, depending upon their solvency, continue those payments, without having a claim to enforce against the company until the event which has been insured against takes place. Again, as regards the competition between such companies being necessary for the public advantage by having the rates of insurance kept at a fair average, if we can judge from the number and extent of the advertisements which we see every day, there are no new or additional facilities required for the constitution of insurance companies. We rest, however, the case for the exclusion of insurance companies on the ground that they are not adapted in any way to encourage industry, to unite capital and labor, or to increase the material prosperity of the country, and that, as an investment, they would be unnecessary, if not unsafe. We must reiterate our regret at the little consideration which has been given to this part of the question, and the scanty information to be found on the point, and which consequently leaves us unable, finally and satisfactorily, to deal with it. We have little doubt that this system will speedily receive the approbation of our legislature. It is true that we should be thankful for any step taken in the right direction, but we do hope that when a great and important change like this is being effected, that our law-givers will not stultify themselves by the introduction of this system in a narrow or illiberal measure, hampered with restrictions which will render it of little or no avail.

Before leaving this important matter we should mention that one of the first of living jurists, Livingstone, in the code proposed by him for Louisiana, recognizes the application of this commandite law to every branch of trade and manufacture, and

imposes no restrictions as to the extent to which the limited liability system should be introduced. On the general advantage of the system as well as on the utility of its wide and liberal recognition in America, we shall conclude with the following striking passage referred to by Mr. Leone Levi:—"If there be prosperity in the United States, enterprise—full and profitable investment of capital—Steam Boats traversing the rivers and speeding not only along the coasts but to remote parts—a commercial navy traversing every sea and sweeping even to the uttermost parts of the earth—railroads which intersect the entire of that mighty continent—and cities springing up as if were in a single night—this has mainly resulted from the aggregation of small means into large amounts by means of limited partnerships. Capital, energy, industry and skill form a very formidable combination. The cotton spinners of this country complain that they are too many, and have even held meetings and set on foot subscriptions for the purpose of drafting a portion of their number out of the country. The labor market of England may be overstocked, but the United States will receive this surplusage, employ it and pay it with high wages. There, provided they are temperate in their habits, and attentive to the main chance, there is great probability that they will not only do well but prosper. The small cotton spinning factories in America are all doing well. There are no such things as 'short time' nor 'half wages' there. The demand is very much greater than the supply, and so it will be for many a long year. The American factories are founded and worked in this manner—a man of capital in the United States gets three or more good cotton spinners and sets then up in a small factory driven by water power of which there is abundance: (the cost of the first factory established in Lowell was 3000 dollars.) They pay him a rent for the factory, and a partnership is formed to work it. The capitalist puts down a limited sum, say £2000. The men put down what they may have to invest: small sums perhaps, but their real capital in the concern is their labour. There is one partner with money, and three or four with skill. The workmen strain every nerve to gain a profit—for it is profit which alone can give permanence to the concern. They know that in case of loss their monied partners whose £2000 is sunk will leave them. If they succeed they can throw their gain into the concern to increase the capital, and the monied partner would probably join in extending a profitable concern. All this

would be done—it is done constantly—because the law of limited partnership is free there."*

Art. VI.—THE OLD MASTERS AND MODERN ART.

1 *The Irish Institution. Catalogue of the Exhibition of Ancient and Modern Paintings.* Dublin: Browne and Nolan, 1854.

2. *Report on the National Gallery; together with the Proceedings of the Committee, Minutes of Evidence, Appendix and Index.* Ordered by the House of Commons to be printed, 4th August, 1853.

3. *First Principles of Symmetrical Beauty.* By D. R. Hay, Edinburgh and London: William Blackwood and Sons, 1846.

4. *The Principles of Beauty in Colouring Systematized.* By D. R. Hay, F.R.S.E. Edinburgh and London: William Blackwood and Sons. 1849.

It has been said that a man who enlargeth over much about his ancestors may be likened unto a carrot, inasmuch as the best part of him is under ground. An admiration of lineage and descent is a very general feeling amongst mankind, and those who affect to despise it most are often only envious of its possession. An excess of ancestral pride, however, often begets an overweening admiration of every thing that can lay claim to antiquity, and blinds a man's judgment—supposing him to possess any—to contemporary excellence; this bias is especially observable in matters relating to art, or rather to pictures,—as a knowledge of art, and an acquaintance with pictures, are very different things—although many think them identical. For a long time the admirers of the old masters had it all their own way; even Sam Slick bears testimony to

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* Since the publication of our last paper on this subject—see Irish Quarterly Review, Vol. III. No. 12, Art I., we have to thank Mr. Jonathan Pim for a very useful and practical little essay on the question. We are happy to find the head of one of the oldest and most respectable mercantile families in Dublin approving of, and advocating the introduction of Commandite Partnerships. There are no better, more intelligent, or undoubted authorities upon mercantile questions than the Members of the Society of Friends; and amongst the Society of Friends, there are no higher, or more honored names than those of the Messrs. Pim.

this, for he says, in criticising pictures, "make out if it's by one of the old fellows, as it is agin the law to find fault with them." Connoisseurs, patrons, and collectors, require to be wealthy, and are, therefore, generally aristocratic—hence, old art has always found most favor with them. Latterly, from the frauds of picture dealers, there has been a greater tendency towards the acquisition of works by recent or contemporary artists—but, nevertheless, there is a large party in the art world who can recognise no superior excellence save in the works of the old masters—evidences are apparent in this city of a similar feeling, where, in some quarters, a strenuous effort is making to stem the current of public opinion, which plainly sets in favor of modern art. We have seen it asserted, that, at the recent fine display of pictures in our Great Industrial Exhibition, the preference by the public of the works of the old masters was most evident, although the fact is notoriously otherwise—modern art, as represented in our Exhibition, having had much the advantage of the more ancient productions there displayed. We seek not to depreciate the works of the old masters, neither do we deny the manifold excellencies and beauties their works contain—beauties which have commanded admiration for centuries—and which are at present justly prized and universally appreciated by all laying claim to the refinements of civilization or to cultivated intellect; but there is reason in every thing. It is to the excess of that admiration we most strongly object; the monomania of connoisseurship, which converts the very faults of its idols into beauties, and regards as almost profanation, any hints from common sense to the contrary.

The recent proceedings of the Committee of the Irish Institution, and the Parliamentary Inquiry upon the National Gallery, have suggested our present paper, for there is plainly shown in both, the evidence of a strong effort being made by a small party, to force their extreme views, regarding the superiority of the old masters, upon the public. This party, in their over zeal for the ancient, are quite oblivious of the existence of modern art; in fact its existence is denied; daubers they may be—but artists!

It seems so extraordinary in this age of progress to find Art alone standing still—nay, even retrograding—that it becomes worth the enquiry upon what grounds do those assertions rest; and, therefore, we propose to consider whether those *chef d'*

œuvres of antiquity are really in such preservation as to be fair examples of ancient art, whether originally they possessed the highest attributes of art, and left nothing for future ages to improve upon, and whether, after all, the moderns may not have progressed to a truer theory and practice of art than the older masters.

It is fancied that because we have numerous pictures by the old masters painted two and three hundred years ago which *seem* in excellent preservation, that such pictures are exceedingly lasting and permanent; it is also imagined that the works of modern artists are much less so. These are most errroneous suppositions, and there is ample evidence to disprove such pleasing delusions, in the Minutes of Evidence before the Select Committee on the National Gallery. The quantity of twaddle that has been disseminated upon the medium used by the older artists, and which has been lost, we are told, contributes to sanction this myth; but the decay of pictures, unless they are carefully preserved, is very rapid. Mr. Uwins, for instance, states, that the two pictures bequeathed to the nation by Turner, "The Building of Carthage," and "Sunrise in a Mist," were so much deteriorated as to be unfit to hang in the Gallery without being cleaned; and, notwithstanding Mr. Uwins' opinion as to the risk and danger of cleaning pictures, cleaned they were. His description of the Carthage picture is, that

"It had been hanging for thirty years in Mr. Turner's wretched gallery, where the weather and every thing bad attacked it, and the dirt hung over it like dirt from the smoke of a chimney. I was obliged to have the picture taken down to the pavement in front of the door, before we could have it put into the waggon, and it looked almost as if a chimney had been swept upon the pavement."

"There were absolutely large pieces of the color flaking off, owing to the perfect neglect it had been left in. There had never been a handkerchief put on its surface for thirty years, I will venture to say. It was necessary to make the pieces of color adhere again, and to do a great deal to the picture to put it at all in a solid condition."

Oh! it will be perhaps said, this is a modern instance you give us. If Mr. Turner had Van Eyck's medium that catastrophe would never have happened. Well, then, turn we to the Blue Book in which, indeed, we find so much testimony to prove the frequency of cleaning and restoring, that the difficulty is which to select; but we will commence with that of Mr. W. Dyce, R.A.

"Then the natural deduction from your theory, if correct, is, that no picture which has been cleaned can possibly be in a pure state?—I believe my opinion comes very nearly to that, and I am even inclined to believe that there is not a single picture in the National Gallery which has not undergone several processes of cleaning and re-painting.

"Then your opinion is, that there is not in the National Gallery such a thing as a pure picture, that is, a picture that has not been injured at some time and re-painted?—I believe there is hardly a pure picture in the world by the older masters, that is, a picture that has not been tampered with, and undergone some more or less injurious process. Even in the immediate time of Paul Veronese, Boschini says some of his pictures had been injured by injudicious cleaning.

"Then do you think it is time that the public should cease to pay the high price they do for those pictures, if they are only the work of modern restorers?—No; an original manuscript is not the less valuable because many of the letters have been restored in it."

This last instance is not as much in point as Mr. Dyce thinks. If a manuscript is kept merely as a curiosity of calligraphy the analogy might perhaps hold good, but if the manuscript is to be used as a historical document, it becomes of extreme importance that no words be supplied, which from the ignorance or fraud of the interpolator, may alter the original signification. Now the great points constantly dwelt upon by the idolators of old art, is the inestimable value of such works as standards for the study and emulation of artists—therefore it becomes of the last importance that the object of study be a genuine production of the hand of genius, and not the tinkering of a picture-cleaner. The truth is there is a strong idea in the mind of artists that studying or copying from pictures is not the way to make an artist, but fearful of the clamor such an avowal might raise about them, they are cautious of promulgating it. Clarkson Stanfield, R A., happened to make a few observations which were thought to savor of this—he said his experience of old pictures was slight, and he did not profess to be well acquainted with the contents of the National Gallery. And hereupon a fierce outcry arose, until the evidence was published, when it was seen that Mr. Stanfield, in common with every artist of genius and discernment, expressed his admiration of those qualities which really deserve to be admired and prized in ancient art; neither did Sir Edwin Landseer escape, for he has committed the unpardonable sin of becoming a great artist without studying in foreign galleries.

Mr. Dyce is very doubtful that the picture said to be by

Paul Veronese, in the National Gallery, is really genuine—or even if genuine a fine specimen; judged by Boschini's account of the method of painting pursued by Paul Veronese he thinks it could not be considered a genuine work.

Our next quotation is from the evidence of Mr. T. Uwins, R. A. keeper of the National Gallery; he says:—

"It seems to me to be assumed, in all the questions that I have heard upon the subject, that these pictures were in a perfect state. Now there is not a picture in existence that has not been through cleaner's hands, and cleaners of different countries; this ought to be taken into consideration; and when a Committee undertakes to consider the existing state of the pictures, it ought to be borne in mind that every picture has been cleaned and repaired, and painted on; that no picture is found in the pure state in which it originally came from the hands of the painter."

Mr. W. Coningham—a gentlemen who has been a most extensive print and picture collector, gave evidence very similar—refering to his evidence before a former Committee, the following question was put:—

"At that time you gave evidence as to your sense of the great dangers to which, not only in this country, but everywhere, the finest works of art were exposed from cleaning, and the great prevalence of that practice, and the excess to which it had been carried?—I endeavoured to establish, to the best of my ability, before that Committee, the important fact, that the great injury and danger to which old pictures were exposed, arose from the treatment they received at the hands of the picture-cleaners, whom I hold as a class, generally speaking, to be mere empirics, working without any fixed principle, and with a very small amount of knowledge of the principles upon which the pictures were painted."

There is no doubt whatever of this, and it must be remembered that picture-cleaning and restoring go hand in hand, they mutually contribute to each other's prosperity. When the cleaner has half destroyed the picture, the services of the restorer are in requisition to make good the mischief. Ostensibly it is done by the same individual, but inasmuch as picture-cleaners are hardly ever able to paint, the services of an artist must be put in requisition. If he happens to be clever, so much the better for the owner; but if ability is not to be had; why then, whatever offers must be taken, and a thick coat of colored varnish, put over all the mending, completes the operation, which, in eight or ten years time, another cleaner will have to remove, and another restorer as a consequence, and so on, ad infinitum. Some years ago a most amus-

ing trial took place in the law courts of Dublin, in which a picture-dealer was defendant. The process of cleaning a picture was thus described by one of the witnessess:—"he (defendant) took a bottle out of his pocket, and poured it all over the picture." "Well, what was the result?" "The result was, the picture was almost entirely obliterated." (roars of laughter) "And what did he say then?" "He said he used the wrong bottle." It happened that the destruction of the picture was no loss to the world, as the greater portion of the works he dealt in were sworn to be "not worth bringing home;" but if it had been a Titian, valued at a thousand guineas, or thereabouts, the owner would never learn its tragic fate, as a restorer would have counteracted the effects of the bottle, and if any difference was remarked in the picture afterwards, it would be readily accounted for by the cleaning having brought out beauties heretofore concealed by the dirt, and so exalt the cleaner's reputation. Our readers may think this exaggerated, but we shall have some choice extracts from the Blue Book of evidence to place before them shortly, which fully substantiate every statement. There is no limit, in fact, to the restorers' art. Mr. R. Ford, another distinguished collector, in his examination, when asked as to the possibility of the restorers being able to bring back to pictures beauties which they no longer possess, replies:—

"I do not know what they can do; they can perform such marvels.

"Knowing what picture-cleaners can do, or not knowing what they can do, can you venture to say that any picture by Claude is in a perfect state, or that it is uninjured?—There are three or four at Madrid, and those, I believe, are the only ones I ever saw; those were painted for the King of Spain, and have not even been varnished, but I should be sorry to vouch for almost any picture 200 or 300 years old.

"Then any picture, 200 or 300 years old, by any master, that one may see at a sale, apparently in perfect condition, such as you would imagine a perfect specimen of the master, and possessing all his peculiar characteristics, may, by some process of cleaning, be reduced to the state to which the national collection is now reduced, and may be brought back to a state of perfection by a picture restorer?—That is really such a long question that I hardly know how to answer it, or what part of it to answer.

"You say that the picture-restorer's art is so perfect that it is impossible to tell whether a picture has or has not been injured, and whether it is or is not a pure and uninjured specimen of the master?—It might deceive me, for one; mind, I am speaking for myself alone.

"This picture by Claude, which you say is poor and unsatisfactory, may, you believe, by the restorers' art, be brought back to a state of perfection which would deceive the eyes of the most distinguished connoisseur?—I think if it were sent back to Rome, and left there for two or three months during the summer, you would find that there are restorers there who are capable of doing almost any thing.

"If there are restorers capable of restoring to Claude all his greatest beauties and peculiar characteristics, would not those restorers employ themselves more profitably by painting like Claude's original pictures?—It seems not, by the fact of their continuing restorers; I suppose that it is more profitable.

"But does it not lead to the assumption that there are men at present alive who possess all the great qualities of Claude?—They must possess the great qualities of restoring a damaged Claude; there are particular cleaners who clean particular pictures. I remember in my time that Francesco da Imola's pictures were all the fashion at Rome, and there was a man who restored them wonderfully; and so there may be as regards Claude's pictures.

Chairman. "Was there not a painter at Florence who painted many pictures, and then passed them off as works of the original masters, deceiving very competent persons?—Yes; there is one instance of Andrea del Sarto's deceiving Giulio Romano himself, until he was referred to the rim of the picture, where a particular mark was found, which Andrea had put there, to show it to be his imitation and copy of Raphael. The fact is, what one man can do another can."

By this we understand Mr. Ford to mean, that a highly gifted man in any age, can do as much as ever was achieved in a former, and we thoroughly agree with him, both in this and every other opinion he has advanced. Varnish is a most potent agent in the destruction of pictures, and no wonder dealers are so partial to it—it brings plenty of grist to their mill. Mr. Ford says that the Claudes at Madrid have not been varnished; we should think so much the better, both for pictorial effect and preservation. Sir Edwin Landseer, speaking of varnish, is of opinion that "It is always disagreeable to see yourself in a picture instead of the work of the painter." Clarkson Stanfield also objects to much varnish, and a sky, he thinks, should never be varnished. Sir Charles Eastlake states that "When a picture has been injured and afterwards repaired, it is natural for the restorer to endeavour to conceal those defects by what is called a heavy glaze; half the glazings on old pictures in their modern state are of this kind." This is the mellow tone age is supposed to give, and about the loss of which on the recently cleaned pictures in the National Gallery such a prodigious outcry has arisen The following

graphic account of the process we find in Mr. Uwin's evidence :—

"It happened that I was copying a picture at that time in Mr. Delahant's room. I was there every day, and he was obliged to make me aware (for there was no possibility of secrecy) of the process he adopted to give what, in the cant phrase is called *tone* to the picture. He had a little vessel filled with Spanish liquorice and ox-gall, and this mixture he used to rub over his picture when he thought an amateur who might purchase was fond of tone, as it was called; but to his honour I must say, that he used to sponge it off again immediately the gentleman was gone."

We suppose that if he did purchase, the Spanish liquorice remained, or that a coat of colored varnish supplied the requisite "tone"! The late keeper of the National Gallery, Mr. Seguier, was thought to be in the habit of varnishing the pictures with a mixture of mastic and drying oil, for the same purpose; and Mr. Uwins was asked whether at the cleaning of the Paul Veronese he had any reason to suppose that such a process of decoration was used, the answer was "No; I cannot say that I saw him do it to this particular picture, but it looked very like the same thing that I have seen him put upon pictures."

Sir Edwin Landseer considered that the cleaned pictures appeared raw only because the eye was used to the former yellow tone, and he supposed that if a sweep's face was washed, people might be found to think the washing a disimprovement. He also stated his opinion that cleaning a picture was a proceeding so exceedingly dangerous and uncertain that it should only be had recourse to as a last resource. He was asked :—

"Do you form that opinion from what you have seen in other galleries besides the National Gallery?—If you have had opportunities of seeing pictures of the old masters in a perfect state, and afterwards comparing some of those pictures which have not changed hands, with others which have been sold frequently, I think you will find the first in a much purer condition than the others. The first thing whenever a picture is sold, I think is that it goes to a picture-restorer, or a picture-liner, or a picture-cleaner, no matter what its condition is. It is exactly the same thing as when you buy a horse, your groom says he will be all right when he has had a dose of physic through him, whether he wants it or not.

"Am I to understand you to say from your own experience and knowledge of what goes on in the pictorial world, that whenever a picture is purchased, it goes as a matter of course to a picture-cleaner?—Yes; and I think it is the usual policy of the picture-

cleaners; it is a thing one naturally expects; I should be very much obliged to any gentleman who belongs to that profession, if he would aid me in restoring a picture where it is necessary to restore it, but the thing ought not to be done rashly."

"Your general experience, however, leads you to believe that that process is done rashly in many cases, and that there are very many pictures which have been injured by cleaning?—I am afraid there are."

Sir Edwin, most likely, had other analogies in his mind concerning horses and pictures when he gave the above testimony; picture-dealers and horse-dealers are much upon a par. Dickens, in some of his writings, wonders how an animal with such noble qualities as the horse, should so thoroughly brutalize those men who come in contact with it. The study of the Fine Arts is unquestionably a noble and refined pursuit, yet it is not found that dealers derive therefrom particularly high attributes; quite the reverse, as there is abundant testimony scattered through the pages of the Blue Book to show. The evil has, indeed, partly worked its own cure, such were the frauds in picture dealing, and so many instances came to light of manufactured "old masters," that even genuine pictures came to be suspected. Copies, and portions of copies, made by artists or students in foreign galleries, were purchased for a few pounds, as the utility to the art student consisting merely in the copying, he had no object in retaining them; they were then interlined, smoked, cracked, varnished, or otherwise *restored*, and finally sold as originals at sometimes very exorbitant prices. We remember a few years ago reading an account in the *Art Journal* which would be amusing except for its villany. A collector, showing his gallery to an artist, pointed out one picture for his especial admiration, which he held to be the *chef d'œuvre* of his collection. The artist's astonishment may be conceived on recognising his own work, as it was a copy he had made some years previously when in Rome; and the dismay of the collector may be imagined also, when the artist directed him to a certain private mark he had formerly made on the picture. When leaving Rome he had disposed of the greater portion of his studies, never dreaming that any would attain to such future celebrity. We fancy numbers of collectors could bear out Mr. W. Coningham who, in his evidence before the Committee, says:—

"With reference not merely to picture cleaning but picture purchasing, I should say that I went through a considerable apprentice-

ship, and that I, like all other men in collecting pictures, made mistakes which I certainly should not do if I had to do the thing over again."

A picture-dealer and a picture-cleaner are one and the same thing; the pursuits are always combined, and the last is often far the most profitable. There are various ills that flesh is heir to, and pictures share the lot of humanity in being subject to the heritage of woe; picture cleaning and restoring is a part of the inheritance, and, if we may judge by the quantity of testimony in the present evidence, they suffer far more from being doctored than if left to the natural decay unavoidably appertaining to things sublunary. Mr. W. Coningham tells the Committee:—

"I never had any picture of importance cleaned. I had one or two small pictures cleaned, and my conclusion after that was, that nothing would induce me ever to entrust my pictures to a picture cleaner."

Judge Haliburton makes his inimitable Sam Slick say that "Experience is every thing; it is hearing, and seeing, and feeling, and trying, and arter that a fellar must be a born fool if he don't know." We have the experience of Mr. W. Coningham, and a very suggestive one it is. Sir Charles Eastlake, in his evidence, fully sustains the fact of the frequent cleanings which pictures receive. He states:—

"When a picture is bought at an auction (as Sir Edwin Landseer said) the first thing the happy possessor does is to put it into the hands of a picture-cleaner, to put it in order, as it is called; and, although that picture may be sold twenty times over in the course of a very short time, the same operation is always repeated."

We also find Mr. D. Roberts, R.A., stating his objections to cleaning:—

"As I mentioned before, I myself am averse to picture-cleaning; my own experience of these things is, that all pictures suffer from the process, and I do not think there is any rule that can be laid down, however experienced a cleaner may be, which can be a safe one, for this reason, that no two painters paint their pictures on the same principle; no painter, through the whole course of his life, paints his pictures with the same materials; he changes his materials, and I defy any man to lay down a rule which shall be of general application.

"I may say that I am very much averse to cleaning, generally, from my experience of it. I think it only a question as to the amount of injury."

Mr. Dyce thought it extremely dangerous to venture upon cleaning a picture at any time. In fact, the evidence upon the danger and risk of cleaning pictures is most unanimous, as well as the universality of the practice.

With regard to the question as to whether glazings were used by the old masters, there was some discrepancy, more apparent than real, however. Mr. Uwins pointed out the great difficulty experienced to ascertain whether the peculiar finishing on a picture was the work of the artist or the picture-cleaner. That glazings were used in finishing by the old masters there can be very little doubt, as the feasibility and advantage of the process would occur to any tyro after a week's practice, from the very nature of his colors, some being opaque and others transparent; but it is very doubtful that glazings were used to the great extent practised by some modern artists, which amounts to an abuse. They probably painted as much as they could solidly, and only glazed when it was essentially necessary, to bring up the effect; and this is the modern system also, at least amongst clever men. Any one, at all conversant with the practice of painting, will see the absurdity of the supposition, that any artist would go over the entire of his picture with a warm glaze, as it would be utter destruction to all the cool half tones upon which so much of pictorial beauty depends. In fact, it is a weak invention of the enemy, the picture-cleaner.

Sir Charles Eastlake, in his evidence, took occasion to acquaint the Committee with a story he had accidentally heard concerning the painting of the Boar Hunt, by Velasquez, in the National Gallery. Several years ago, before the picture became the property of the nation, this picture was sent to a Mr. Thane to be *restored*, and restored it was, in manner following; that is to say, the person whom Mr. Thane employed to line the picture, in going over the back of it with a hot iron—the usual practice in such cases made and provided—injured the picture to such an extent that Mr. Thane nearly lost his senses: large portions of it flaked off, and the bare canvass became exposed. In this awful dilemma the only thing considered was how best to conceal and patch up such cruel devastation, and, as usual, they sought about for an artist, and Mr. George Lance was ultimately induced to work upon the picture. Sir Charles Eastlake mentioned this circumstance in order that the Committee might ascertain its correctness by

examining Mr. Lance. That gentleman, accordingly, appeared before the Committee, and fully corroborated the entire story; but it is so suggestive that we will give the tale in Mr. Lance's own words. Sir Charles Eastlake's evidence touching this matter was read out for Mr. Lance by the chairman, Colonel Muir, who then said:—

"Now, I wish to ask you what are the facts, with reference to that picture of Velasquez, as far as they have come within your own knowledge?—I think, about twenty years ago, a gentleman called upon me, stating that a picture was in the possession of a dealer I had not the pleasure of knowing, and that it was a picture of great importance.

"Was it Mr. Thane who called upon you?—No, it was a mutual friend, a Mr. Thomas; the picture, I believe, had formerly been in the possession of the King of Spain, where Lord Cowley had been ambassador. Lord Cowley placed it in the hands of Mr. Thane, to keep, but not to repair; he kept it, I believe, for many years, and after a considerable time, Mr. Thane, as I heard afterwards, had been commissioned to clean the picture and reline it.

"Do you know by whom he was commissioned?—I believe by Lord Cowley, as far as I know. A colour-man was employed to reline the picture, a most skilful man, and in relining it I understand he blistered it with hot irons. I do not know the process of lining pictures, but I believe that in the process hot irons are used at the back. When the picture was returned to Mr. Thane in this condition, it naturally distressed him very much; he was a very conscientious man, and he became very deeply distressed about it; he saw the picture passing over his bed in procession; after a certain time he thought it got worse, and that the figure of it was more attenuated, and at length he fancied he saw a skeleton; in fact the poor man's mind was very much injured. It was then proposed that he should employ some painter to restore the picture, and three persons were selected for that purpose; Sir David Wilkie, Sir Edwin Landseer, and myself were mentioned, but it was supposed that neither Sir David Wilkie nor Sir Edwin Landseer would give his time to it, and that probably I might; and therefore the picture was placed with me, with a representation that if I did not do something to it serious consequences would follow to the cleaner. I undertook it, though I was very much employed at the time, and, to be as short as possible, I painted on this picture. I generally paint very rapidly, and I painted on that occasion as industriously as I could, and was engaged for six weeks upon it. When it was completed Lord Cowley saw it, never having been aware of the misfortune that had happened to the picture; it was then in Mr. Thane's possession, and remained with him some time afterwards. From that time I saw no more of the picture until it was exhibited in the British Gallery some time afterwards, where it was a very popular picture, and was very much thought of; since then I have heard it was sold to the nation, and twice I have seen it in the National Gallery. I saw it only about a week ago, and I then thought it was not in the same

condition (indeed I am certain it is not) as when it was exhibited in the British Gallery formerly, after I had done it.

"What was the state of that picture when it came into your hands?—There were portions of the picture entirely gone.

"What portions?—Whole groups of figures, and there was a portion of the foreground entirely gone also.

"Do you mean that celebrated group which is so often copied; the man in a red coat?—That is original; I think that any man with any knowledge of art will see at once that that is original, and I am only surprised that it has not been seen that other parts are original also.

"Which portions of these groups did you chiefly restore?—You are very near the mark when you speak of the red coat; it is the group on the right hand; the outlines were entirely gone.

"Do you mean to say that the whole of the paint was removed from that part of the picture?—Entirely.

"Was the canvass laid bare?—Entirely.

"*Mr. Labouchere.*—What guide had you in repainting those groups?—Not any.

"Did you repaint groups that you yourself imagined and designed?—Yes.

"*Lord W. Graham.*—Did Lord Cowley not distinguish any difference in the groups?—Not any.

"*Chairman.*—What was the extent of paint wanting on that group which you say you repainted on the right; was it a portion as large as a sheet of note paper?—Larger, considerably; the figures themselves are larger than that.

"Was it as large as a sheet of foolscap?—About that size, I should imagine.

"There was a piece of the original paint wanting as large as that? Yes, in the foreground.

"It was totally wanting, and the canvass to that extent laid bare; is that so?—Yes.

"And on that bare canvass you painted the groups of figures we see now?—Exactly.

"Will you have the goodness to describe to the Committee any other portions of the picture where the paint was in a similar or in an analogous state?—The whole of the centre of the picture was destroyed, with slight indications here and there of men; there were some men without horses, and some horses without men.

"That is in the arena?—Yes.

"You are speaking of the figures on horseback?—Yes; some riders had no horses, and some horses had no riders."

There are 63 square feet in the Velasquez, and at the time Mr. Lance was requested to re-paint it, according to his own showing—the sky was very much damaged—the whole of the centre of the picture was in the same condition, with only slight indications here and there of men; about three square feet on the right was totally wanting, and the canvass to that extent laid bare. The portion denominated the arena, containing the mount-

ed figures, was not so far gone, though it gave one more the notion of a dissolving view—some portions being bright enough —others partially—and others entirely gone; nearly the whole of the wood, and the entire of the green landscape was put in by Mr. Lance, so that the Committee began to think there was more Lance than Velasquez in the picture, and some very home questions were put to make this matter plain. Mr. Lance, however, wished to draw a distinction between painting and going over an object with his brush—to our view both procedures are very similar:—however, to the question. "May we assume wholly or in part your brush went over fully one half of that picture?" he answers, "if you take the number of square feet, a great deal more." "So that a great deal more than half of that picture is your picture, and not the picture of Velasquez?" "The surface was mine." And further. "You believe that about one eighth of the canvass, when the picture was purchased by the nation, was the pure untouched painting of the original master?" "Yes, but rather an important part."

So much for the history of the Velasquez & Co., for without doubt there were other partners in that firm ere now besides Mr. Lance—sure we are that Mr. Thane gave a final enrichment with his pot of spanish liquorice.—Oh! Mr. Lance, thou'lt never be forgiven by the picture cleaners—thou mightest have painted upon old masters to no end—so only that thou heldest thy tongue—but thus to tell the secrets of the prison house —"'Tis flat burglary as ever was committed."— The time may come, oh! Lance, when the matchless creations of thy pencil will get into the hands of the Philistines, and with their oils and unguents, they will serve them as the painted effigy of old Shakspeare was treated in Stratford Church, and thou mayest now exclaim prophetically, in the words of Charles Lamb, "Methinks I see them at their work—these sapient trouble-tombs."

There is hardly an artist who has not some similar tale to tell of picture restoring. Sir Charles Eastlake says, it is only one out of a hundred instances; and it is not a little remarkable that he also had some restoring to do in the National Gallery—as shown by the following evidence of Mr T. B. Brown:—

"Could you mention in a manner to be intelligible to the Committee, without having the picture before them, in what part of the picture repairs were? The principal of those repairs were on the back of the June, which he, *(Sir Charles Eastlake)* mended in a most exquisite manner; no artist living could have done it better."

"Have those repairs ever been discovered or noticed by any of the critics or visitors of the gallery?—No, I never heard that."

This is equally mortifying to connoisseurs, as the former revelations are to the dealers, for they are wont to pique themselves upon their infallible judgment—it is therefore dreadfully annoying to find that they have been so successfully befooled. During Mr. Dyce's examination he was asked:—

"Is it not the fact that amateurs or artists, who have the credit of being good judges of pictures, are in the habit of telling you that when they see a picture at Christie's sale, they can detect almost intuitively any actual repairs that have been executed on the surface?—I think it is very difficult in many cases, to do so; I am sure there are many cases in which no amateur, not even an artist, could pronounce with certainty the extent to which repairs have been carried."

"Then you think that in every case in which you have observed something wanting, or in which you have found some blemish upon the nine pictures that have been cleaned, it may possibly be that that is owing to the removal of something painted in, after the original master, by a repatcher of the picture?—I think so; I think it very difficult even for a cleaner himself to tell whether he has removed a re-painting or part of the original work, especially when that re-painting is of an old date."

Mr. Lance, however, attains the climax in his account of a visit he paid to the British Institution when the Velasquez was exhibiting; it was after he had been engaged upon it—and he most ingenuously says,—

"Many years ago, when the picture was at the British Gallery, I was invited by a member of the Academy to go and look at it, and when I went there, Mr Seguier and Mr Barnard (who was also a picture cleaner) were present. They said 'I know what you have come for; you have come to see this magnificent Velasquez.' I said, 'Well I have' and with the greatest simplicity in the world I said it gave me a notion that some part had been much repaired and painted upon; upon which Mr Barnard, the keeper of the British Institution, said immediately, 'No, you are wrong there; we never had a picture so free from repair in our lives.' I did not think it at all desirable to make any statement that the picture had been injured unknown to Lord Cowley, as I had thought that the best thing I could do was to restore it as well as I could, in order that he might have his picture returned him as near its value as I could bring it."

Now this is exquisite—the self-satisfaction and confidence of those judges of art is worthy of Mr Morris Moore; we are certain that if Mr Lance had been rash enough to attempt the undeceiving of those connoisseurs, they would not have believed

him; but there is another of Mr Lance's experiences, which even transcends the Velasquez history.

Colonel Muir. Have you ever restored any other picture in the ordinary course of your professional practice? During the time I was engaged upon that picture at Mr Thane's, he had a picture belonging to the Archbishop of York, to which rather an amusing thing occurred.

"What was the subject of it?—It was a picture of Diogenes in Search of an Honest Man, by Rembrandt; a portion of it was much injured. Mr Thane said to me, 'I wish you would help me out in this difficulty.' He did not paint himself. I said,' What am I to do? tell me what you want?' He said 'There is a deficiency here.' What is it?' I said, 'It appears to me very much as if a cow's head had been there,' He said, 'It cannot be a cow's head, for how could a cow stand there?' I said, 'That is very true, there is no room for her legs.' I fancied first one thing, and then another; at one time I fancied it was a tree that was wanting, and at length I said, 'Well, I will tell you what will do; if you will let me put in a black man grinning, that will do very well, and' rather help out the subject.' He said, 'could you put in a black man?' I said, Yes, in a very short time;' and in about half an hour I painted in a black man's head, which was said very much to have improved the picture. Shortly afterwards Mr Harcourt came in, and seeing the picture, he said, 'Dear me, Mr Thane, how beautifully they have got out this picture; my father will be delighted; we never saw this black man before.' And that is the extent of my picture repairing.

"*Mr. Labouchere.*—The picture into which you painted the black man had not been injured by accident while it was in the picture-cleaner's posession, had it?—Not to my knowledge.

"So that the artifice of adding that figure could have had no object except unduly advancing his reputation as a picture-cleaner, by producing an effect which was a complete deception on the person who employed him?—The picture had been injured in that portion, and wanted repairing; it was sent to him to repair it, and he could not make out whether it was a portion of a figure or what it was, as you frequently find to be the case in damaged pictures.

"*Colonel Moore.*—Did you think it a fair transaction in him, without informing the person who confided the picture to him, to place the black man there?—That is a matter of opinion as to his moral principle under a peculiar circumstance.

"Do you consider that, among picture-cleaners generally, it is considered fair and honest to paint in figures where they appear to them to be wanted?—All I can say is, that if I were to entrust a damaged picture to a cleaner, I should be satisfied if he had done his best; and if he turned it out to my satisfaction, I should not question him as to how he did it.

"If a painter painted in a black man, and said, 'I have done it, and I hope you will be satisfied,' that might be fair; but do you think it would be fair in a man to paint it in, and then lead his employer to suppose that it was there originally, and that it was only restored?—

That is assuming a position which is not warranted by what I said. He may have done so."

As Mr. Lance seems doubtful, we must, of course, give Mr. Thane the benefit of the doubt; but we think, judging by the antecedents, it ought to be a doubt of the most attenuated description, for we know such revelations are not usual amongst the fraternity. We have quoted so much of the evidence that tells against picture cleaning, it is only fair to quote something on the opposite side; and we find the evidence of Mr. Morris Moore the most suitable for this purpose. He is a picture-dealer, and, by his own showing, a most profound judge of art; to him, in fact, is due the merit of originating the Enquiry into the management of the National Gallery. He happened to be in the Gallery on a certain day as a student of art, and was horrified at witnessing the faces of the pictures being washed with soap and water, just like Christians. He did not remonstrate, for he had, he tells the Committee, a vivid recollection of the results of his former interference, and he had no wish to experience a repetition—but he did better, for he rushed into print, and, in the columns of the *Times*, his imitation rattle became very like real thunder.

Mr. Morris Moore delivereth himself thus:—

"*Mr. Hardinge.*—Does picture-cleaning, in your opinion, require a very long apprenticeship and training?—It requires a very great knowledge of art.

"Do you think that most of our distinguished artists understand picture-cleaning?—I am not aware that we have any distinguished artists; but I am fully convinced that a really distinguished artist would understand picture-cleaning.

"Then, on your own showing, this Gallery cannot be properly superintended?—I have not said that none but a distinguished artist should superintend the National Gallery, but that a really distinguished artist would be a fit person.

"I understood you to say you thought the form was unexceptionable, but that you found fault with the person to whom the superintendence was entrusted?—Exactly.

"But if there are no distinguished artists fit to undertake the duty, what would you do?—The best I could, and that would not be to place at the head of the National Gallery one who had no claim to the title either of artist or connoisseur. I should endeavour to find some one who had given incontestable proofs of a superior knowledge of the works of the great masters.

"*Mr. Charteris.*—Do you consider that Sir Joshua Reynolds was a distinguished artist?—Yes.

"Wilson?—Yes.

"Hogarth?—Yes.

"Turner?—No; Turner's early works certainly indicate a good feeling for colour, but he is absurdly overrated. The hanging of two such pictures as the Turners in the National Gallery, in the immediate vicinity of some of the finest Claudes, and other noble works, and facing the 'Raising of Lazarus,' one of the greatest pictures in the world, is a disgrace to the country.

"Do you consider Etty to have been a good painter?—No, certainly not."

So, we have no distinguished artists, and the astounding discovery is due to the acumen of Mr. Morris Moore. What, oh! what will become of Sir Edwin Landseer, Sir Charles Eastlake, Clarkson Stanfield, Daniel Maclise, William Mulready, Ward, Danby, Frith, Lee, Cooper, Creswick, Pyne, Harding, and others, or will the censure resemble the effect of "my Lord Abbot's terrible curse," as sung by Ingoldsby:—

"But what gave rise
To no little surprise,
Nobody seemed one penny the worse."

The discovery that a knowledge of picture-cleaning is essential for the making of a great artist is no less surprising. Until enlightened by Mr. Morris Moore, we thought that there was no resemblance whatever between the amount of genius necessary for the producing of a work of art, and the ability to take the dirt off its surface; but, perhaps, he reasons somewhat after this fashion.—Only a distinguished artist can be a picture-cleaner—I am a picture-cleaner—ergo—I am a distinguished artist. He will allow, however, Sir Joshua Reynolds, Hogarth, and Wilson, to be distinguished artist; but denies that rank to Turner and Etty; the former, he says, is absurdly overrated. Hear that, oh, Ruskin! He allows, indeed, that some of his early works indicate a good feeling for color, but his pictures in the National Gallery, he thinks, are a disgrace to the nation. The facts are quite the reverse of this; Turner's earlier works contain many indications of that study of old pictures so much recommended by Mr. Morris Moore and others; and it is his latter works that show such a knowledge of the effect of light and color—a knowledge gained by long and careful study of nature. Walpole writes, "Hogarth, as a painter, has slender merit," and that he is "more a writer of comedy with his pencil than a painter," opinions which elicited a most spirited and triumphant vindication of Hogarth from the pen of Allan Cunningham, already quoted in a former

paper.* Schlegel, writes that Hogarth, "painted ugliness, wrote on beauty, and was a thorough bad painter." Mr. Morris Moore will, therefore, see that great men are often mistaken in their estimate of each other. We cannot understand why he quotes for the Committee the two opinions upon picture cleaning. Mr. Uwins he takes every occasion to sneer at, and his opinion is rather in favor of the picture-cleaners; whereas that of Sir Joshua Reynolds, whom he professes to admire so much, is altogether against them, as is thus proved :—

"Mr. Uwins, in his letter to Sir C. Eastlake, published in the Minutes of the Trustees, 1845-6, says, 'I cannot but look with great respect and veneration on the art of picture-cleaning.' On the other hand, Sir Joshua Reynolds, an authority scarcely inferior, had the greatest aversion to picture-cleaners. In his 'Journey through Flanders and Holland,' wherever he describes a picture as feeble and out of harmony, he immediately concludes that it must have been in the hands of some picture-cleaner."

Mr. Morris Moore tells the Committee that all the evidence is worthless with the exception of Mr. Nieuwhenhuys'—we presume he must have also intended to except his own; he thinks a distinguished artist must be a great judge of art :—

"who drives fat oxen should himself be fat."

He deems it impossible that any one could produce a great work of art, and be a bad judge of a work of art—only a profound judge of the works of the great masters can by any possibility be deserving of the title of an artist; he has every where studied the great principles of art, but not by a bigoted preference for a particular school—admires the works of the greatest period of art in Italy; but has no exclusive taste—admires what most deserves admiration—and whenever he sees a work displaying principles that should be common to all schools admires it—be it Dutch, Spanish, or Italian. The Committee ask what confidence they can have that he recommends the best course of study, and inquire if it has not resulted, in his own particular case, from his plan of study, that he gave up the profession of an artist, and took the profession of a picture-dealer—he acknowledges that there certainly had been a change in his pursuits—his efforts, the result of years and years of study, were not appreciated—and the fond expectation of reviving in his own productions the beauties of the old masters proved fallacious;—in fact the public was base enough not to admire—he must therefore abandon the art—

* Irish Quarterly Review, Vol. I. No. II. p. 339

or alter his system, and thereby prefer the triumph of daub over master-piece: the fault was in the public taste, not in him. The greatest ignorance with respect to art prevails, fine works in auction rooms bring low sums—daubs instantly command thousands! If "The Bacchus and Ariadne" was in an auction-room and not known, it would bring nothing like a Titian price. The Committee at length overwhelmed by such egotism, asked if he meant that no one in Great Britain but himself could appreciate it,—he further stated his reason for thinking public taste so vitiated was caused by the extravagant purchases of modern works, which *are all* of a very corrupt style—and the utter want of appreciation of the works of the great masters. He does not form that idea exclusively from auction-room experiences, but still he thinks them not a bad test—and he considers the taste and judgments of the Trustees of the National Gallery quite as bad as that of the public. His assertions regarding good works of the old masters bringing low prices are contradicted by others, who have just as good opportunites of judging as he can possess; indeed most of his assertions are contradicted by other witnesses—he has, however, provided for this contingency—as he makes no secret that all opinion, save his own great doctrine, is utterly worthless. We have dwelt at this length upon Mr. Morris Moore's evidence because there is a small party who share his opinions to the letter, and who make up by assiduity and declamation the want of numbers. There is a great deal in the feeling with which any object, either in nature or art, is looked at—and it influences our perceptions to an extent few are aware of. Thus admirers of the works of the old masters are prepared to like them—and even that which at first appears a fault, is, from the conviction that it must be right, converted into a beauty—on the other hand, this admiration of ancient art makes that which is modern seem less excellent to a mind so biassed; and therefore it is, as if the deficiency were real it was the knowledge of this fact which made the ancients typify love as blind.

The signs by which this party may be known are a thorough advocacy of the principles, and study of the works, of the old masters—and a contempt for modern art—modern taste, and especially art unions. Hazlit is an authority we will quote against Mr. Morris Moore, and those who think with him: he says, "a constant reference to the best models of art necessarily tends to enervate the mind, to intercept our view of nature,

and to distract the attention by a variety of unattainable excellence. An intimate acquaintance with the works of the celebrated masters, may indeed add to the indolent refinements of taste, but will never produce one work of original genius." In practice, it is exactly so—those who are distinguished for being good copyists are seldom good anything else—and of the students of art, it is those who show most promise evinced by their excellent copies of the old masters, who never arrive at professional eminence; yet in the face of those facts, the same studying and copying is still most determinedly insisted upon, and although it is known that most of those artists, who have attained to a high position in art, did not pursue such studies—the delusion is still paramount—and if it is discovered that any of those artists in their earlier career did happen to study in any School or Gallery,—it is thenceforth assumed that all their celebrity is owing to it—The truth is, it is only when an artist has made considerable progress in his profession, that a study of the master-pieces of antiquity becomes of real service—and how do such artists study?—Not by making servile copies—they leave that to amateurs—but by roughly painted in notes of effect, of color, of light and shadow, and of composition—and occasionally bits out of pictures—rarely is the drudgery of copying an entire work resorted to. Excellence in any pursuit is always accompanied by originality; no man attains to celebrity by imitating another—on the contrary, such plagiarism always rouses disapprobation, and entails failure. It is highly probable, nay almost certain, that the fine works of the old masters have really proved more a disadvantage than an advantage to the progress of art; for being set up as standards of imitation, they rather tend to making art stationary—the instincts of genius prompting to new paths yet checked as aberrations from ascertained excellence. If architects had confined their studies to the Greek masterpieces, where would be our magnificent gothic style of architecture?—We are now content to admire and imitate it, but a century ago the style was in such disrepute as to be considered barbaric; a party of classicists contemning it as Mr. Morris Moore condemns modern art—and setting up in its stead a blind adoration of the antique, which produced as its fruit the mongrel style sometimes termed Italian. Genius stimulated by exigency will always take a new direction—the difference of climate, of race, of thought—and above all of religion—eliminated the gothic style;

and such is ever the tendency of genius, unless unduly trammelled by precedent.

There is an opinion entertained by many, that the fine arts are in their nature unlike the exact sciences, that they do not progress, with the accumulative knowledge of each succeeding age, to final truth.—The history of art will show this to be a false view—it would be strange indeed if art formed an exception to the great law of progress evident in all nature; it is an idea that has arisen from the too generaly received notion, that perfection in art has been reached by the old masters: we purpose to show, or at least to endeavour to show, before concluding this paper, that in many essentials their works are most efficient; we think it is tolerably clear to an unprejudiced mind, from the evidence already quoted, that their works are are not now as good examples of art as when produced, caused by the inevitable effects of time, as well as the cleanings and restorations: whether they had really attained to the highest perfection, and embodied the true principles of art, becomes the next question.

The distinguishing characteristic of the arts during the fifteenth, sixteenth, and seventeenth centuries, was the large infusion of religious feeling they evince; whether the moderns are less religious—or that the printer's calling has substituted the painter's in those respects, it is certain the religious element is much less evident in modern art: the old masters painted most of their great works for churches; kings, and noblemen, were, with the clergy, the principal, almost the only, patrons—the former commissioned pictures of sacred subjects for oratories and private chapels; it must also be remembered that in the countries where art flourished most, churchmen occupied prominent places in society, and largely influenced governments; therefore a religious tone must have prevailed in courts and amongst the aristocracy—even from policy this effect would follow where the clergy have much influence—added to this, there must have been a more serious, almost a gloomy tendency in the mass of the people—they had few amusements compared with the moderns, and for the most part, war and religion formed the general topics.—Thus the arts were in consonance with public taste and feeling.—The great works were painted to be looked at in places devoted to the most serious thoughts, and thus ministered to devout emotions. Those times too were less critical than the present, and things were

more readily taken for granted: how different are such subjects when seen in uncongenial situations—or viewed under antagonistic feelings!—How different the martyrdoms, incidents in the lives of saints—and sacred subjects, generally appear, when viewed along with the heterogeneous contents of a gallery.—With many a feeling of horror at the cruelty portrayed will be uppermost; others again will be provoked to risible feelings by the self-same subject which has ere now suggested the highest thoughts of which man is capable. It is made a charge against modern art that it rather eschews such subjects—but as well might the public be blamed because it is not like the public of the middle ages, art has always been an exemplification and expon ent of the idea of the age—and although it leads still it forms part of the host. Would the majority of collectors choose in preference the subjects we speak of, if they could have others—as good specimens of the various masters? Assuredly not. It may even be questioned if the great works which adorn the churches on the Continent, and which have all the impressive accessaries calculated to influence the mind—produce any thing like the religious fervor which they formerly elicited. In this country, at all events, the public taste is decidedly in favor of *genre* pictures. . Landscapes, scenes illustrative of domestic life, and historical incident, these are the subjects which enlist our sympathies—and who shall say that having always before the eye a beautiful rendering of the scenery of nature, will not excite the mind to a worship of the God of nature, and predispose to thankfulness and love; who shall say that pictures illustrative of every day duties, and domestic virtues, will not be a suggestive incitement to their practice—yet because such are preferred to works intended for a different age and another people, public taste is described by the Morris Moores as most corrupt, and art as dead.

The great superiority attributed by connoisseurs to the works of the old masters is deemed to consist in a high aim, evinced by their choice and treatment of subject. But their choice was the taste of the age, and it is absurd to censure modern art for not taking a similar direction, although no longer in accord with the general bias and feeling of the public. But the public taste is said to be corrupt, and art is called upon to educate and refine it, by bringing it back to that of the sixteenth and seventeenth centuries. Is philosophy and literature prepared to make a similar retrogression, because, if not, there

will be small use in art making it; and, even if such a retrogression did actually occur, it is very doubtful that the mass of society would follow. But was the treatment of sacred subjects, adopted by the old masters, of a high character, intellectually considered? Was it not, on the contrary, a most gross rendering of things spiritual, abounding with earthly images and vulgar symbols, and is not modern art at this hour hampered and shackled by those conventionalities which have descended as a legacy from the older practice—the allegories, the clouds, halos, wings; such angels and such devils! all remnants of mythology, imported by the Greek artists who overspread Europe during the dark ages. It will take a long period to free art from those trammels, especially when their adoption and imitation is so sedulously inculcated; most of the absurd flights of modern artists are a consequence of such teaching. Modern feeling says, why select a class of subjects which, in their pictorial rendering, must involve absurdity, when another range is open; why attempt to portray what "eye hath not seen, nor ear heard, neither hath it entered into the heart of man to conceive?"

There is no vulgarism more frequent in old art than the introduction of a halo behind the head of saints and holy men; it is constantly used in the representation of the head of Christ, although there is not the smallest sanction for it. In the Byzantine schools of art, and down to the time of Cimabue and Giotto, it was represented by gilded rays behind the head; as art progressed this barbarism was discarded, and color was made to give the idea of light. There is in the Exhibition of the Irish Institution, now open at the Royal Hibernian Academy, an excellent example of this practice, No. 96, "Madonna Dolorata," by Carlo Dolci, which is held in great repute by copyists; although what advantage is to be gained by studying such a crude mass of deep inharmonious blue, opposed by a small spot of yellow, it is difficult to conceive. If such a miraculous emanation really had existence, it would pervade the whole head and countenance, and not appear as if a bright spot on the wall behind; but, as the gold originally used could not effect this, when the art of representing luminosity came to be understood, the old practice was still adopted. There are a few pictures of the Nativity, in which the Infant Jesus is made to illuminate the picture, all the objects receiving their light from the child; this is a more poetical rendering, but is,

nevertheless, a departure from fact. In the Dublin Great Industrial Exhibition there was a modern picture belonging to the Belgian school, representing this method of treatment; the Infant Jesus was represented as incandescent as the iron in a smith's forge at white heat—such an extravagant departure from truth and nature is, of course, disagreeable to refined taste—had such an emanation of divinity been witnessed in Bethlehem there would have been no such thing as an unbeliever. It is unfair, however, to blame modern art for this practice, as it is merely the result of studying old masters and old principles.

Some will have no art that is not what they call creative, and this supposed quality is made to palliate all manner of absurdity. Creation is the attribute of divinity; to man is given the power to combine only, to draw inferences, and make deductions, more or less approaching to truth, but not to create. The All-wise has thought fit to use the creative power sparingly, and constantly produces combinations of new form from types which he has already created; and yet man seeks to claim this mighty power. There has been more flowing verbiage, and high-sounding bathos, written upon this "creative power of art," than upon any other art topic; and such essays possess the common distinguishing mark, that after their perusal one is as wise as before. The sneers at landscape painting arise from this morbid feeling. Fuseli spoke of landscapes contemptuously as "those things called views;" but were his "creations"—his insanities upon canvass—preferable? "Oh, Mr. Fuseli!" said a lady, "you should have been here last week, there was such a subject for your pencil: a man was taken up for eating a live cat"! There was keen satire in this, for Fuseli thought he painted terrors; but it is difficult to tell whether the ludicrous or the horrible most predominate in his works.

Landscape art, of all others, requires the keenest appreciation of the beautiful, both with regard to color and form; nature, in its ever varying phases, is constantly affording fresh scope for study and contemplation. An enthusiastic landscape painter can scarcely be other than a good man. His pursuit, like the study of astronomy, has a tendency to produce religious fervor. Landscape was not the forte of the old masters, amongst whom Claude was the most distinguished, but the modern school of English landscape is infinitely superior; all the Claudes we have seen give the idea, in point of composition, of odds and ends put together, such as now a days might be concocted from a few old prints: they do not

convey the idea of natural effect and truth; there is a conventionality about them most opposite to nature. Let the Claude, in the Exhibition of the Irish Institution, No. 84, "Landscape," be compared with Turner's "Italian Landscape," No. 73, hanging near it, and although this is not a fair specimen of Turner, as it is too much an imitation of the old style, but, as a work of art, it is far beyond the Claude, which is, nevertheless, a very good specimen of the master—quite as good as the "Queen of Sheba" in the National Gallery. In Claude, and others of the old masters, the figures introduced into the landscapes have often the effect of pigmies, and this results from a want of attention to the laws of perspective. Any one can see, by a little attentive study, the different ratios of foreground figures to the distance, in pictures and in nature; modern works show a much closer approximation to truth in this respect, as we shall have occasion to allude to more particularly in the concluding portion of this paper. But those conventionalities in the older works do much harm to the student, as it leads the eye to take a false estimate of proportion, with which the mind is apt to rest satisfied.

The study of old pictures has been productive of an especial detriment to the progress of Art, in respect of the false idea of force which is inculcated—the very opposite of nature's—which is a force of light and color, and not of blackness, or rather brownness. It is probable that originally those works were less brown in the shadows, but in most of them the shadows never could have been cool; yet in nature there is nothing so marked as that the lights are of warm tone, and the shadows cool grey; this effect takes place by reason of the natural laws of color. When any one color is strongly developed, its opposite or complementary, is also present although less evident; thus the general color of light or sunshine being of a yellow tone, the shadows partake of purple, the opposite. In the Exhibition of the older works now in the Royal Hibernian Academy, there is not a single picture in which the shadows are not a decided red or brown—we would particularly instance the shadows upon the flesh in the "St. Sebastian," by Spagnoletto, No. 106, which are so deep as to be with difficulty distinguished from the dark back ground. It is almost impossible to think that in its original state this picture could have presented this appearance, and it is equally difficult to believe that any darkening, either from

the natural change in the oils, the coming through of a dark under-ground, or even the colored tonings of picture dealers, could have so changed the picture. The effect is as if the figure were in a dark cavern, lit by a lamp, but the account of the martyrdom is, that the saint was bound to a tree, and shot to death with arrows, in the broad day light. Guido's picture of the same subject, No. 118, furnishes another example, as indeed does every picture in the room more or less. Guido's, however, shows plainer indications of the cleaning process, as the flesh tints are quite gone. This would be a painful subject to look upon, but that the idiotic abstraction evident in the expression of the head, enlists one's sympathies as much as if the arrows were entering a bag of flour, to which indeed the perforations bear more resemblance than to arrow wounds; the barbed point of an arrow makes a cut which bleeds copiously, but here there is scarce a drop of blood flowing. It may be said that to paint it naturally would be revolting—granted—but is it not an argument to prove that such subjects are unfit for the painter's art. It is from the study of such brown pictures that the eye becomes so accustomed to them as not to endure the true rendering, which is pronounced crude, and wanting in depth and richness,—as the use of stimulants when indulged in over much, renders their continuance a necessity,—so does the eye become accustomed to certain false tones and forms—until at last it deems them true. No doubt this effect operates conjointly with the willingness to be pleased, already alluded to in producing that enthusiastic admiration of the old masters so often observable amongst connoisseurs.

We have alluded to the absence of correct perspective in the older works of landscape, but this want is even more evident in the large figure subjects, when constantly groups of four and five persons are represented of nearly equal size, although it is impossible that in a natural group they should appear so; in such compositions the group is necessarily supposed to be but a small distance from the spectator, and in this near proximity, a further remove of even a few inches becomes most apparent to the eye (that is to an educated eye) by the consequent diminution. Another practice of the old masters, equally at variance with the truth of nature, was representing figures larger than life size—denominated sometimes the heroic size: as painting is to represent

nature not as she *is*, but as she *seems*, the falsity of this is at once apparent. No. 36, "Musical Concert," by Caravaggio is an example of the practice of both those false principles, the more remarkable as Caravaggio is said to have been a follower of the *Naturalisti*; compared with this picture how truthful and natural seems Rembrandt's magnificent "Burgo-Master," No. 40, hanging immediately under; when we use the word natural we of course make some allowance for the inevitable yellowing of the material used, and apply the term more particularly to the drawing and proportion: this picture is an example of the way in which a figure may be represented life size without a departure from natural effect; for as the entire figure is not shown, the eye is satisfied that it is on a plane with the base line, (or edge of frame,) and therefore expects life size; but when a whole length figure is delineated, showing a space of ground between the base line of the picture and the feet of the figure, the effect is unnaturally gigantic, and the eye is struck with an apparent falsity, although to many the reason is not evident. This is another of those conventionalities of art that a study of the Old Masters has perpetuated, but latterly some of the most distinguished modern artists have adopted the practice of representing the figures in historical pictures, half or two-thirds of life size, a close approximation to the appearance of nature. It is argued that unless a larger scale of proportion than the natural is adopted, figures in certain situations would be scarce visible; but this appears to be an argument proving their unfitness of introduction in such places; the effect of colossal figures is to destroy the grandeur of architectural proportion, for as the eye is well aware of the size of the human figure—it makes it a basis of proportion, and we fancy, not that the figures are large, but that the surrounding parts are small, and the eye only takes cognizance of the real size when accidentally a living figure is observed in direct proximity.

The works of the older masters abound with anachronisms, details of costume, and manners and customs of different climes are constantly mixed up in a most strange and ludicrous melange, most offensive to men of taste and education. When an artist determines to express a story upon canvass, he ought, of all things, endeavour to represent it truly, and no study or research should be spared to arrive at accuracy. There

are numerous examples of such incongruities, specimens of the most opposite schools, both in the National Gallery, and the Exhibition of the Irish Institution; in the latter No. 91, "The Cup found in Benjamin's Sack," by Poussin, and No. 102, "David giving his Dying Instructions to Solomon," by Ferdinand Bol, there is not the slightest resemblance to eastern habits or usage. It would be utterly impossible to carry the sack, in the first mentioned picture, upon a camel's back, and it is difficult to fancy what race of men afforded a type for the human figures, either in physiognomy or costume; the treatment of the draperies is most conventional, possessing neither truth of form nor of light and shadow. Contrast this picture with Horace Vernet's "Lion Hunt," No. 155, and observe the difference in every respect; yet both are, or ought to be, representations of much the same scenery, climate, and brilliant sunshine, and of a similar race of men. We are perfectly aware that the idolators of old art will not agree that Vernet is superior, they will call it crude and harsh; but we write not to convince the proprietors of such diseased vision, we are satisfied to abide by the decision of the unprejudiced No. 91 has manifestly been formerly in the possession of a lover of tone; it has all the appearance of having had the natural yellow tint of age incrusted by Spanish liquorice, or some colored varnish; nevertheless, we would not advise the noble owner to venture upon having it cleaned.

Another practice of the old masters was representing in the same picture different episodes; sometimes they introduce as contemporaneous incidents, events between the occurrence of which several years intervened; at other times they represent as happening upon the same scene occurrences which took place at a great distance from each other; the "Transfiguration" of Raphael is an instance of the latter, familiar to every one. In "Essays Towards the History of Painting," by Mrs. Callcot, several pictures thus treated are described at great length; one, particularly, is said to possess most transcendant merit, and "to be a model for this treatment of historical subjects." It is in the possession of the King of Bavaria, and represents the journey of the three wise men to worship the Infant Jesus, and containing also the Adoration, the Resurrection, and the Ascension, one of which occupies the right side, the other the left of the painting. What would be thought of a modern Academician, if he painted the Beheading of

Charles I., and introduced the Trial, the Procession to the Scaffold, the Headsman holding up the severed head, and Cromwell looking at the dead body in the coffin—all in the same picture.

In the representation of animals in their works, the old masters evinced singular deficiency, the more remarkable when the correctness of drawing, and anatomical developement, almost invariably shown in their representations of the human figure, is considered. Even of those schools which more particularly studied animal delineations, as, for instance, the Dutch, the superiority of the modern is most evident. There are, in the Exhibition of the Irish Institution, a few works of Cuyp, Paul Potter, Berghem, and Snyders, although there is no Landseer with which to compare them, there is, however, one of Sidney Cooper's cattle pieces:—but we find we are passing into the consideration of the third point, viz., that the modern painters have arrived at truer principles and practice of art than the older masters. We have endeavoured up to this to show, that there are many respects in which an over devotion to the study of the old masters is not desirable; that many mistaken principles were acted upon; and that most of the conventionalities and absurd usages in the practice of painting are derivable from, and perpetuated by, the study of their works. But it is not the object of this paper to decry such studies as pernicious. To the accomplished artist a knowledge of what has been hitherto done in art is essential, as well as an insight into the various methods by which gifted men in various times have endeavoured after the imitation of nature with a limited material; it is to such that a study—not a mere literal copying—of old art is useful, as he knows what to select and what to avoid; but it is very questionable utility to pre-occupy the mind of the young student with particular manners and modes of practice, to the extinction, perhaps, of his own natural originality.

We know not if it was the intention of the Irish Institution to give a practical illustration of the superiority of modern art in their arrangement of the two rooms at the Royal Hibernian Academy, but the small room one enters first appears to contain the best examples, although hardly any of the works of our more celebrated artists are there. The works of Vernet, Tschaggeny, and T. S. Cooper, exemplify the principle of cool shadows and warm lights, which we have already alluded to.

Vernet's picture is a most useful study, and the effect of brilliant sunlight was probably never better given; the warmth of the picture is wonderful, when the intense blue of the sky is taken into account, it being the coldest color we have. Cooper's picture, No. 134, is not a specimen of this artist's present manner; it has been painted some years, and has a great deal of the character of the water color pictures he commenced his career with; but, though inferior to his present works, the cattle are greatly superior to the cattle delineations of the older masters in the Exhibition. No. 153, "Cattle," by Ommeganck, is a modern picture on old principles of study; after looking at Vernet's "Lion Hunt," for a time, and then coming suddenly upon this, the shadows appear most disagreeably and unnaturally hot; a better exemplification of the truth of the one practice, and the falsity of the other, could not be had. The Fine Arts Hall in our Great Exhibition contained only one of Cooper's cattle pieces, also some years painted, and not to be compared in point of excellence with his latter works, yet it was much superior, in the truthful study of nature it evinced, to the large Cuyp that hung opposite to it, although the latter is a very fine example of that master. Cooper was once present at an artistic re-union, where were exhibited several beautifully executed lithographs, reproductions of Paul Potter and Cuyp; a gentleman remarked in his hearing—not supposing the artist present—"Ah! Cooper is largely indebted to those, he gets a great deal here." Cooper repelled the insinuation fiercely; he said he would not have the credit of such things. A great admirer of Cuyp would be apt to ascribe this ebullition to a feeling not unmixed with jealousy, but such would be a wrong assumption; Cooper knew, from his knowledge of the subject, and careful study of nature, the deficiencies in their works, and, therefore, could not endure that in points where he felt his own superiority the credit should be taken from him and ascribed to another. It is only the practised artist who can become thoroughly aware of the particular deficiencies in other works, and hence, by the freedom of his comments, often gives offence to connoisseurs, who, not possessing his refined subtlety of observation, cannot see the shortcomings which are to him so evident.

Those who visited the Fine Arts Hall of the Great Industrial Exhibition, will remember Sir Edwin Landseer's "Bolton Abbey in the Olden Time"; the dead game in this picture was

most beautifully and artistically delineated; we allude to that portion of the picture because it admits of comparison with No. 23, "The Dutch Larder," by Snyders, now in the Exhibition of the Irish Institution. Whether in respect of composition, manipulative dexterity, arrangement of color, or truth to nature, the modern picture is greatly superior. A larder is a gross and very unideal subject, but Landseer has avoided this; in his picture you do not think of the spit; the game is spread on the ground much as it fell by the hunter, and takes most graceful and undulating forms, instead of being trussed into strange shapes by the cook; in Synders' picture the arrangement of color is exceedingly good, but there has been a picture-cleaner at it,—witness the whey-faced woman, and the white cloth, the scumblings and glazings on both have evidently been removed, and the harmony destroyed thereby.

No. 2, "Cavaliers by Cuyp;" this picture will not for a moment bear comparison with any of Landseers' more than the Cuyp in the National Gallery; the grey horses in both pictures are ill drawn, that one in the Cavaliers is particularly defective, and the details of the picture are faulty and untruthful. Either this picture or the one in the Louvre is a copy, they cannot both be originals, but the remarks apply as much to the one as the other.

We have dwelt particularly upon the animal delineations of Landseer, because we wished to institute a comparison between his works, and the best productions of a similar class amongst the old masters; in fact, the name of Snyders had become proverbially associated with animal painting; and some years ago it was thought that the perfection of his works would never even be approached. All the qualities which go to make a distinguished artist, Sir Edwin Landseer possesses in a high degree; in his works the principles of composition are beautifully exemplified; and in the perspective of his figures, he shows, that by careful study of nature he has discerned the true theory, as also in light and shadow.

Horace Vernet is most remarkable for his splendid delineations of battles. Such subjects, by the old masters, are represented in a most conventional and tame manner; but Vernet's genius has taken an entirely new direction: his representations of battles are at once most truthful and poetic; and in the rendering of energetic action either of man or horse, he is unapproached: his paintings of "La Smala," at Versailles, may well be called miracles of art.

We have already alluded to the great advance made by modern artists in the departments of landscape painting; their great study has been in the school of nature, rejecting that of the old pictures. Sir Joshua Reynolds used to say, speaking of the conventional system of landscape art, that painters seemed to have had but two types for their trees—coachmen's wigs and dumb waiters; and Mr. Ruskin alludes to the same system, when he says, the question of connoisseurs used to be, "where do you put your brown tree?" Gainsborogh and Wilson were the leaders of the present English school of landscape, and although now their works have a comparatively tame and insipid character, yet they were a great advance upon the style which then prevailed. The present school of English landscape stands deservedly high; and several specimens of the continental schools, which were in our Great Industrial Exhibition, also evinced the highest excellence. The great effort of modern art is directed to rendering the effect of light, in contradistinction to the older style, which rather affected twilight scenes and sombre tones of color—the more strange, as the old artists for the most part lived under bright skies and brilliant sunshine, and our climate is proverbially gloomy. Turner was undoubtedly most successful in his beautiful combinations of color, and in the magical effect of bright light he was so happy in producing. Pyne is also most admirable in the rendering of bright sunshine, also Stanfield and D. Roberts. Danby is celebrated for beautiful sunsets, with gorgeous effects of light and color.

We would also instance the English school of water colors, unrivalled in any other country—as affording an exemplification of what art can achieve when untrammelled by old methods of study and conventional standards, but looking to nature as the true model for imitation. Water color paintings are at all events tolerably secure from the picture-cleaner, and the contamination of his varnishes.

There are two paintings, in the Exhibition of the Irish Institution, which are amply sufficient to show that modern artists are equally excellent in the particular walk of art to which the greatest of the old masters especially devoted themselves, as in the other branches of study—we allude to No. 127, "The Temptation of St. Anthony," by Gallait, and No. 162, "Elizabeth of Hungary," by De Keyseer. We only ask our readers to pause before those pictures, and then com-

pare them with any of the older works in the large room. It is much to be regretted that Gallait should have introduced the figure of the devil into his picture, with all the ideal vulgarities attachable to that personage. It would have been a much higher view of the subject, to have imagined the prince of darkness as taking the seductive shape of a beautiful woman; but by appearing, and in such a guise as that represented—he counteracts all the effects of his snare—it becomes no longer temptation, for the evil intent is apparent: in setting a snare for the lower animals, man takes pains to conceal it under the bait; and can we fancy the subtilest of all spirits so deficient in the commonest cunning. It is in fact but a relic of the barbarisms of the middle ages—one of the conventionalities which still cling to art, and will cling for many a day yet. There are numerous other instances of modern excellence which could easily be given, but our object has been to point out those by which the mass of our readers may have the easiest means of judging for themselves as to the truth of what is advanced, viz. that the moderns have made greater progress towards the developement of the true principles of art than the old masters. To those conversant with the National Gallery in London, we would instance the Vernon Gallery, now also the property of the nation, as a truer and better exemplification of art. No doubt that in every age and country, highly gifted men have from time to time astonished their own and succeeding ages, by their genius. Euclid wrote three thousand years ago, and his works are still class books in science—the great examples of Grecian sculpture are master-pieces yet—and the works of the great painters of Italy will be admired as long as they endure; but such extraordinary endowments are rare, and do not disprove the existence of a slow but invariable progress towards final perfection, although to man in his present sphere that perfection can be but as an approximation. The progress and elucidation of the principles of art are slow, for much depends upon the manipulative dexterity of the artist—in one short life-time he brings his art from the rude scratchings of an unpractised hand and eye, to the highest point of genius. His art dies with him, and his successor begins, not from where he left off, or even a point approaching it, but *ab initio*, as if the former had never been; this we are aware is also the case with other pursuits of mankind, as for instance, music; but the artist's

progress is more self educational, and he arrives at many results very difficult to be conveyed to another; the modern artist is not therefore in possession of many advantages over the artists of former times. Emulation has however much influence. What another has achieved there is manifested a tendency to excel; and the researches and experiences of different individuals when accumulated, afford valuable material for the guidance of the art student. A peculiar feature of the present time is the number of works written upon the Fine Arts; many recording the conclusions and practice of distinguished artists; there is also a more general and a wider appreciation of art, and its principles are becoming better understood. We have placed, at the heading of the present paper, two works from the pen of Mr. D. R. Hay, of Edinburgh, which are most valuable, and cannot but have a great influence on art, as exemplifying the laws by which beauty of form and color are governed. There are no subjects upon which so much diversity of opinion prevails as on matters relating to taste and beauty, and the various works intended to elucidate them do not convey much practical information, as they are for the most part expressive only of individual opinion, and although often condemnatory of certain examples, yet do not show why they are wrong. This is a want which Mr. Hay's works will go a great way towards supplying: it is most discouraging and unsatisfactory to the art student, or amateur, to find that in pursuing such studies he is inevitably blown about by every wind of doctrine; therefore the discovery of laws which regulate and determine these questions is most desirable. Mr. Hay, in the Introductory Chapter of his work upon "The First Principles of Symmetrical Beauty," observes:—

"We have certainly a wide diffusion of a pretended knowledge or connoisseurship, in the Fine Arts, but then how few can give a reason for the opinions they form upon works of art, and how very few, indeed, can tell why the form of one utensil upon his table is more beautiful than that of another, or why one kind of proportion in an apartment is agreeable to the eye, while another is not. I cannot help attributing the failure of all our attempts to diffuse a knowledge of the beautiful, to an improper method having been adopted,—a method the very opposite to that by which the other useful branches of education are disseminated."

Mr. Hay disclaims any intention of laying down rules for the guidance of Genius; many he says have supposed—

"That in attempting to define the laws of symmetry, upon which the primary beauty of form depends, and which is the governing principle in ornamental design, I pretend to give rules for that kind of beauty which genius alone can produce in works of high art. But I make no such attempt—as well might it be said of the author of an elementary school-book, that in attempting to instruct his young readers in the elements of their mother-tongue, he was pretending to teach them rules for producing poetical conceptions and other creations of the imagination— as that I, in laying before my readers the first principles of symmetry, am giving rules for the exercise of genius in the arts of design."

Nevertheless a careful perusal of Mr. Hay's work will be highly advantageous, even to the most accomplished artist. Some suppose that an attempt to define the rules by which genius achieves its results is a useless folly; but although genius seems endowed with a sort of intuitive perception of the true and the beautiful, as it were by instinct, yet are those results governed by certain laws—and according as their workings become understood, so will genius be strengthened, and its efforts appreciated. Sir Joshua Reynolds, in allusion to an opinion that rules rather cramped high effort, said that "rules were fetters only to the man of no genius."

There are certain fixed laws which govern and regulate all nature—these may be undiscovered or ill understood, but are not therefore the less existent, and as their results are arrived at, whether by accident, or by the exercise of observation, so will relative perfection be attained. Mr. Hay thinks that a key to the elucidation of the laws which determine beauty, either of sound, color, or form, is to be found in harmonic ratios of the numerals 1, 3, and 5, and we believe he has very satisfactorily demonstrated the truth of the positions he advances; at a future time we purpose again recurring to this subject, and for the present shall only attempt to give our readers a cursory idea of Mr Hay's theory, in the hope of inducing those who take an interest in art questions to peruse his admirable works.

We fear there is but too much foundation for the assertions contained in the following:—

"In a former treatise on colour, I confined this part of the subject to an attempt to point out the analogy that exists between the harmony of colour and that of sound; and I did so from an idea, that in this country a knowledge of the first principles of the science of music, bore some proportion to the extent to which that art is taught and practised, and that, in consequence, I should more

readily lead to an understanding of the one species of harmony by comparing it to the other. But I am now convinced that this was a mistaken idea, and that, instead of a knowledge of the first principles of harmony being general, it is so limited, that but few of the professors of painting, sculpture, of architecture, to whom they ought to be familiar, have paid any attention to the subject ; even among teachers of music, there are few who are sufficiently acquainted with the philosophy of their art. This is much to be regretted, for the general principles of harmony are uniform throughout the whole science of æsthetics, and, as in no department of that science have their effects been more clearly developed than in music, there can be no better method of pointing out their peculiar nature, than by reference to the first principles of that art. I shall, therefore, still refer to it, and in doing so, show that the harmony addressed to the eye, like that addressed to the ear, is of an exclusively mathematical nature."

In our system of Art Education there is an over attention paid to manipulative dexterity to the neglect of intellectual powers—or perhaps it is that academies of Art take for granted that the student is already perfect in Scientific attainment, an assumption not always consistent ; however there is a tendency to a better state of things, to which the proposed founding of Professorships of Art in the Universities would also materially contribute.

In the "Principles of Beauty in Colouring," Mr Hay gives several admirable examples of harmony and contrast; the principles he lays down, and his deductions therefrom, are most unexceptionable; but we think their beauty is a little impaired in the examples, by the red he has selected, it is more properly a dark orange instead of a red, of which lake or carmine would have been a better type; there is not a sufficient destinction between the primary red and the secondary orange—and on the harmonies of the green, the red is not dark enough—from this cause also the opposition of the purple to the yellow is not so beautiful as that seen in nature, in the pansie for instance—and we think the yellow would have been better if it partook of the canary instead of the chrome tone.

Mr Hay shows that of the musical notes, there are three which may be reckoned primaries ; the tonic, *do*, the mediant, *mi*, and the dominant, *sol* : in form the three figures of the sphere, the cube and the cone, or their sections, forming the plane figures of the circle, the rectangle and the triangle : also in color, the primaries, yellow, red, and blue. All

those bear a constant ratio of 1, 2, 3. He then proceeds to show that—:

"The first primary combination of the unit gives its multiple 2, which is a sub-multiple of the numbers 4, 6, 8, progressively as 2, 3, 4; and it is the first even number. The number three is also simply a multiple of the unit, and is the first tertiary combination or odd number; it is a sub-multiple of 6, 9, 12, &c., progressively as 2, 3, 4, and is at the same time a compound of 1 and 2 added together The next multiple of 1, having no other aliquot parts, is 5, a compound of the first even and first odd numbers 2 and 3; it is a sub-multiple of 10, 15, 20, &c. These three numbers are therefore the first three multiples of 1 that are multiples of no other number, and upon the proper operation of those numbers depends the harmony which constitutes beauty.

The primary or leading harmonic ratios produced by the operation of those numbers upon quantities, motions, or powers of matter, are 1 to 2, 2 to 3, 4 to 5, and these are called in the natural scale of music the consonances of the tonic and its octave, the tonic and its fifth or dominant, and the tonic and its third or media.—The other parts of the scale are, in this respect as 3 to 4, 3 to 5, 8 to 9, and 8 to 15, but no new mode of combination is here presented—4, 8, 9, and 15, being multiples of 2, 3, and 5."

The proportions of the human countenance have been long determined by artists, and may be thus described; the oval of the face and head is divided by a horizontal line into two equal parts, which line determines the position of the eyes; those two portions are again equally divided by horizontal lines, indicating the hair and the point of the nose respectively; if the lower half of the face, from the eyes to the chin, be divided into three portions, the first, counting from the chin, will determine the position of the mouth—the ratios of those divisions are exactly in accordance with Mr Hay's theory:—

"On the transverse diameter, from the crown of the head to the centre of the eye, is in the ratio of 1 to 2 of the whole length. From the same to the point of the nose, 3 to 4; and to the mouth, 5 to 6. From the point of the chin to the mouth, 1 to 6; to the nose, 1 to 4; to the centre of the eye, 1 to 2; and to the setting on of the hair, 5 to 6. Upon the conjugate diameter, the eye, the width of the nose and the mouth are as 1 to 5. Every minutiæ of the human figure is full of this species of harmony."

He further shows that all curvilinear forms are derived from certain angles, and that the relative measurement of those when in the ratios of *first*, 1 to 1 and 1 to 2; *second*, those of 1 to 2, 1 to 3 and 2 to 3—and *third*, those of 1 to 4, 1 to 5, and 4 to

5, always produce beauty of form—ugliness being a consequence of inattention to those rules. It is highly probable, nay almost certain, that the Etruscans and ancient Greeks possessed some certain rules of art by which they arrived at the uniform expression of so much beauty, whether evidenced by works, sculpture, architecture, or ceremic remains. Vitruvius unquestionably alludes to such rules of proportion, although in such a manner as to prove that only a traditional knowledge of them remained in his time

A very general idea has prevailed amongst men of the highest intellectual powers, that some geometric principle of beauty might be discovered—and many futile attempts at its elucidation have been made. Mr. Hay quotes the following from an article which appeared some years ago in *The British and Foreign Medical Review*, singularly confirmatory of his theory. "There is harmony of numbers in all nature—in the force of gravity—in the planetary movements—in the laws of heat, light, electricity, and chemical affinity—in the forms of animals and plants—in the perceptions of the mind. The direction, indeed, of modern natural and physical science is towards a generalization, which shall express the fundamental laws of all by one simple numerical ratio. We think modern science will soon show that the mysticism of Pythagoras was mystical only to the unlettered, and that it was a system of philosophy founded on the then existing mathematics, which latter seem to have comprised more of the philosophy of numbers than our present."

Mr. Hay, following out the principles here glanced at, has the following excellent introductory observations in his work on "Symmetrical Beauty":—

"To discover the laws of material beauty is, therefore, first of all, to determine the laws of mind: for the laws of the divine mind we must examine our own. The only type of intellect and goodness we possess is that furnished us by human nature. 'God'—says an eminent Christian philosopher—'God is another name for human intelligence raised above all error and imperfection, and extended to all possible truth.'—'We discover the impress of God's attributes in the universe (continues the same author) by accordance of nature, and enjoy them through sympathy.' This we conceive to be the true theory of the enjoyment of nature; we see the developement there of a high, and good, and glorious, and loveable mind—

of a mind resembling all that is best in our own, refined and purified above all error and imperfection; and in our enjoyment of the works of the Divine Artist, sympathy is a principal element."

In Mr. Hay's last work, "The Orthography of the Parthenon," he proves most satisfactorily that the proportions of that masterpiece of architectural art are exactly in accordance with his theory. We say satisfactorily, because the Institute of Architects appointed one of their members to report upon Mr. Hay's work, and it was found that the greatest variation perceptible between the theoretic and actual proportions of the façade did not vary much more than half an inch—to Mr. Hay then is justly due the credit of having re-discovered the great principles upon which the grandest works of antiquity were produced, and we feel proud in being able to instance it as a proof that alike in the theoretic and the practical—art is advancing. There are other works upon the theory of art which we might also have quoted to substantiate our position—such as Sir Charles Eastlake's History of Oil Painting—his translation of Goethe's "Theory of Colours" and Mr. J. D. Harding's admirable work upon the "Principles and Practice of Art," but we think our paper has already extended to a reasonable length.

The major part of it has been written with reference to the establishment of our National Gallery under the auspices of the Irish Institution—we think much of the evidence given before the Parliamentary Committee conveys a suggestive lesson. And when it is found that with such resources at its command the London National Gallery has experienced so much difficulty in the acquirement of the works of the old masters—it naturally occurs that with the much smaller means likely to be available here—it would be folly to make a similar attempt.

There is every reason to think that ultimately a very splendid collection of the most celebrated works of the old masters will be formed in London and worthy of the British nation; and from the rapid and easy communication with London now established, readily available for reference or study—we would therefore prefer to see the primary object of our National Gallery, that of exemplifying what Irishmen have achieved in art: what was the state of art, and what is now its position in Ireland—and that the acquisition of the works by the old masters sholdu form quite a secondary object—and be confined altogether to donations of pictures. Such might be well and excellently

done at a price infinitely below the amount of funds requisite to purchase the enormously over-priced works of the old masters, and would form the best type of what a secondary or local National Gallery ought to be: for of course the idea of rivalship with *the* National Gallery would be preposterously absurd. We might then point to our gallery, and say, "Such as our art was, such as it is—behold. We do not claim eminence or seek for applause; but it is our own."

THE

IRISH QUARTERLY REVIEW.

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ART. I.—LITERATURE AND POETRY IN IRELAND.

1. *Poems.* By John Francis Waller, LL.D. Dublin: James M'Glashan, 1854.
2. *The Slingsby Papers; a Selection from the Writings of Jonathan Freke Slingsby.* Dublin: J. M'Glashan, 1852.
3. *Ballads, Poems, and Lyrics, Original and Translated.* By Denis Florence M'Carthy. Dublin: J. M'Glashan, 1850.
4. *Dramas of Calderon, Tragic, Comic, and Legendary. Translated from the Spanish, Principally in the Metre of the Original.* By Denis Florence M'Carthy, Esq., Barrister-at-Law, author of "Ballads, Poems, and Lyrics," etc., 2 vols. London: Charles Dolman, 1853.
5. *Theoria.* By Digby P. Starkey, A.M., M.R.I.A., Barrister-at-Law. Dublin: James M'Glashan, 1847.
6. *Poems, Illustrative of Grace—Creation—Suffering.* By the Rev. Richard Sinclair Brooke, A.B. Dublin: James M'Glashan, 1852.

During the twenty one years which have elapsed since the establishment of *The Dublin University Magazine*, the poetic talent of this country has become known to all lands where the English tongue is spoken; and wherever the poems appearing in that *Magazine*, have been read, their more than ordinary merit, even in their worst specimens, has been freely and honestly acknowledged. That publicity, with another class of readers, which the *Magazine* could not completely satisfy, was gained in the pages of *The Dub-*

lin Penny Journal; whilst for a still wider circle of students and readers, *The Nation* newspaper, in its respectable days, afforded excellent specimens of song and ballad, although a great portion of their attraction, for the mass of readers, was derived from their roaring rebellion, and rampant sedition.

Ireland is precisely the country in which the editor of a serial finds himself overwhelmed by every species of poetical contribution, from an epic to an acrostic. The young man who is waiting for a curacy poetizes; he who, in wig and gown, wears out the flags in the Hall of the Four Courts, endeavouring to catch an admiring, appreciating attorney, relieves his mind by writing smart epigrams upon the seniors, whilst he, as the cake women say, "is takin' the dead cowld out of the pillars;" he who passes his days an idler about our free public literary institutions, a dilettante in every thing—supporting his position on the poor reputation of the wonderful things he could do—and retailing the opinions of *The Athenæum* on all topics, literary and artistic, as his own—a Brummagem Aristarchus—all these, and they may be enumerated in our city, by tens—perpetrate verse—and, with the aid of Bysshe and Walker, spin out their empty fancies in the spiritless skeleton of thoughtless rhyme,—thus, too clearly, proving Bulwer Lytton's observation—"The thought is the Muse, the versification but her dress."

In a nation such as Ireland, where the people are by nature poetical, it is right that there should be, as there have been, many publications devoting a large proportion of their space to what the correspondents and contributors glorify themselves by designating, original poetical contributions. From the class of writers who support this particular department of the publications, it may happen, as it has happened, that a genuine poet will first make known his bright gift of genius. But there are evils arising from this facility of publication inseparable, perhaps, from a provincial literary reputation. The chief amongst these disadvantages is, that men, who have obtained a certain rank amongst their tuneful fellows, form themselves into cliques and sets—petty coteries—two-penny-halfpenny clubs, where all is speechafication, laudation, hip—hip—hurra—"We won't go home till morning"—Kinahan's L.L. Whisky, devilled kidneys, Burton Bindon's Oysters, and Guinness's Porter.

Than a literary party in Dublin, there is nothing more stupid. The songs of somebody, who is present, are sung to the

music of somebody else who is present. Nobody who knows anything of literary importance will tell it, lest somebody else might "bone" the information, and at the earliest opportunity, publish it as his own. There is an insufferable, conceited, priggishness about all these affairs, that can only be equalled, certainly not surpassed, in its folly, by the absurdity of that famous "leg of mutton swarry," to which "the Select Company of Bath Footmen" invited *Sam Weller*. These Dublin literary reunions are nothing more, compared with real literary assemblies, than the supper scene in *High Life Below Stairs*, is to an aristocratic gathering.

That literary men of a certain class will hate and fear each other, as only women can hate and fear their rivals, is, doubtless, a fact. But literary men, save of the poorest order of intellect, should not play the flunkey to their brothers, and for the poor favor of a cliqueish puff, send round, metaphorically, the hat, and beg each other's praise. We know that such men as Graves, and Todd, and O'Donovan, and O'Callaghan, and Ferguson; men who have worked for reputation, and won it by honest exertion in their several branches of science or of literature, are above these petty shifts of petty litterateurs; of such students as each of these, to whom we have referred, we may truly assert that he bears ever in mind the dignity of a calling, but too often—

> "Defamed by every charlatan,
> And soil'd with all ignoble use.—"

We do not object to good fellowship, and all the kindly feelings that are created from a complacently filled stomach. Pleasantly combed hair, and smiling faces, are healthy to a healthy mind, whether encountered upon a churching-going morning, when the bells ring out the call of religion to man, or met around a club-room table, adorned by "Jolly good fellows, every one." But, when A. says, smilingly, to B.—"B., my boy, your Lines on King O'Toole's Grandmother, are the most spirit-stirring things I ever read,"—can B. do less than reply—"A., my fine fellow, they are nothing to your Verses on the Baily Light House at Sun-set?" Now, of course, these titles of poems are not real, but such is the style of conversation. Everybody is praised by everybody else, and praises everybody else in return—the prose writers, the artists, the publishers, the nondescripts of Dublin literature, all receive

their share of laudation, for, as Thackeray says—"You never knew an Irish gentleman in London so poor, that he had not another Irish gentleman still poorer to wait upon him, and run on his errands,"—so, in Dublin, you never find a writer of a reputation so small, that he has not another of a reputation still smaller to be his toady, and his trumpeter; thus the force of laudation, and toasting, and club-dining, goes on, producing, as a necessary consequence, such versifiers as Dr. Waller, and producing, despite all evil influences, a poet like M'Carthy.

But literary snobbishness and cliquery are not the only obstacles against which literature in Ireland is forced to contend. Religion, and politics, very frequently interpose, and each party, and each sect, has its pet, and prettily puffed favorite. High church people will not buy books from those tradesmen who venture to exhibit upon their counters low church publications; low church worshippers will not deal with him who ventures to display high church books; whilst as a body the Roman Catholics are not very extensive book purchasers, and their newspapers puff most openly the productions of their co-religionists.*

Politics, too, in conjunction with religion, are a terrible bar to Irish literature in its onward path. It can hardly be credited, that a very distinguished Professor, in Maynooth College, who announced to the world a reprint, with an original English translation, of a very rare work, should have actually been so besotted as, in the nineteenth century, to publish this book, *omitting* all such portions of it as seemed to him disadvantageous to his own religious or political views. And yet strange as this prostitution and desecration of genius may seem, it is exceeded by the following, which would be ridiculous,

* For example:—a short time since a Roman Catholic clergyman published a translation of Dante's great poem, and the public were gravely informed by the Roman Catholic newspapers, that it was a most exquisite translation, and that no man save a Catholic could translate Dante's poems; because Dante being a Roman Catholic no one but a Roman Catholic could fully comprehend him, and so we learn the full force of the line—

"Who drives fat oxen should himself be fat."

Yet no poet has been considered more unorthodox than Dante, and his theology has been frequently attacked. Thus, Goujet, in the *Bibliothèque François*, declares that Dante errs as a theologian, "lorsqu'il accorde une exemption de soufferances après la mort aux sages du Paganisme, et aux enfans mort sans batême." This observation reminds one of Bossuet's having reproached Santeul de St. Victor because he introduced the name of Pomona in a poetical description of the gardens at Versailles.

were it not pitiable, in the puerile affectation of the person who forms its subject. Some few months ago it was resolved that the Archæological and Celtic Societies should be amalgamated: all the chief supporters of each Society were most desirous of a complete identification, but a very considerable delay occurred, because one of the honorary officials of the Celtic Society was quite unwilling to merge the body in the Archæological Society, over which Prince Albert presided. And why?—Not because Dr. O'Donovan, and Dr. Todd, and Dr. Graves, and Mr. Curry, were not active and zealous members, but simply because the dissentient was an admirer of the rebellion-made-easy principles of Mitchel and Duffy's school of "patriotism," and he would not join any literary Society of which Prince Albert was the President. And although the Societies are now united, yet for some days that most desirable result was postponed, to gratify the folly, or the conceit, of a single, undistinguished member. With such obstacles as these surrounding literature in Ireland, who can wonder that its cultivators are sometimes prigs, and not unfrequently pretenders?

It is difficult for those who have no actual experience of the facts, to comprehend the many adverse circumstances that render literature and literary enterprises in this country most hazardous. Many men of ability, and many publishers of astuteness and intelligence, have attempted, within the past twenty years, to carry out well designed and ably written serial publications, and with the exceptions of *The Dublin University Magazine* and our own *Review*, failure has been the invariable result. And why? We send forth from Ireland the authors, the artists, the poets, the newspaper editors, who are in the highest ranks of their various professions in England, yet our people cannot support, as Scotland supports, cheap, respectable, publications. The whole secret lies in the fact, that our lower and middle classes are not a reading people, whilst politics and religion, or the thing they nick-name religion, render them incapable of appreciating, or at all events of appreciating so as to induce them to purchase, any works that do not pander to their particular views of party, or to the prejudices of sect. For these reasons *The Dublin Penny Journal*, and *The Citizen*, were losing speculations; and Duffy's *Library for Ireland*, with all its political galvanism, was not so successful as an opposition,

but rabidly treasonable, series, issued by a tradesman named Mac Cormack.

We will not speculate upon the probable character, or problematic success of a series about to be issued by a society calling itself *The Celtic Union*—but of its teaching and tendency there can be little doubt, as amongst its prime movers are Dr. Cane, of Kilkenny, who was imprisoned, for his connection with the Young Ireland faction, in the year 1848, and Mr. Charles Gavan Duffy, M. P. of whom his friend, the run-away convict Mitchel, thus writes, in his "Gaol Journal."

"Duffy is not only editor of the *Nation*, but is *the very man who urged poor O'Brien upon his Tipperary war.* If they even stay proceedings against him now they are finally vanquished, and he can drive Government into the sea. He can; but will he? dares he? Alas! the unfortunate man is too evidently cowed and prostrated to the earth; he produced on his trial *evidence of character*—literally, people to bear witness of his good moral character in private life, and not only that, but of his legal and constitutional character. I read that father Matthew and Bishop Blake were brought forward to prove that Mr. Duffy is not only a very amiable and religious person, but also very far from being the sort of man to meditate illegal violence, or the disturbance of "social order"—not he. Carleton, too, is produced to give his testimony to the prisoner's general character, of which Carleton is an admirable judge. And, what is almost worst than all, the poor man tries to evade the responsibility of some of the prosecuted articles by proving that they were not written by himself."

When one remembers these things, and finds Mr. Duffy declaring that he is *now* what he was in 1848, and discovers that a life of that blaspheming rebel, Wolfe Tone, is to form a chief attraction in the series of works to be issued, one may well suspect that the *Celtic Union* will prove, as Mr. John Mitchel, in his *New-York Citizen* prophesies—"A DISMAL IMPOSTURE;"—but it is for the Government to see that it does not become, what Mr. Mitchel hopes it may become—"the organization of an organization"—or a seed-plot of sedition, of treason, and a source of misery to a politically duped and debauched people.*

We have stated that Ireland is prolific in writers of poetic pieces, and that she has had an abundance of journals and

* See Mitchel's paper, "The New York Citizen"—Art. "Irish Movement; But No Progress." And see the number for March 4th, 1854; under date, in that concentration of folly and cleverness, the "Gaol Journal," April 12th, 1849.

magazines, in the pages of which these compositions could be given to the approbation, or reprobation, of the readers of light literature. To see himself in print is the great aim of each suckling of Parnassus, and succeeding in this he commences his career of folly. He is a poet, he will be a poet, nobody shall prevent his being a poet—and, like poor *Francis Osbaldiston*, he is all for romance, and despises tare and tret. A good-natured critic, in a newspaper, praises his verses; the public read them, as they read everything else,—admiring what others admire; brother versifiers pat him upon the back; he proceeds through all the enormities of metre, and when some few years of this foolery have passed by, he finds that he has written a sufficient quantity of lines to form a small volume, and forthwith he rushes to the printer, whose parturient press delivers to the world a series of snowy pages, "where a neat rivulet of text shall meander through a meadow of margin."

The book is placed in the hands of the critics:—the author is sure it must succeed. Were not its contents admired, when they appeared originally in *The University Magazine* or in the *Nation?* Murphy, of "The Ballyragget Expiflicator," said that the "Ode to John Mitchell's Hand-cuffs" was finer than any thing in *The Lays of Ancient Rome*; and Flannigan, of "The Sallynoggin Independent," thought the translations superior to anything since Maginn's *Homeric Ballads*. Good-natured critics take the book and judge it kindly, but with a merciful leaning to the culprit author. They find excuses for his faults, they see beauties lurking in obscure places, and think that now, in our day, a poet may be a poet, even though upon the line of mediocrity—thus adopting, in honesty, the mocking defence which Voltaire offers for the supposed inferiority of *The Song of Solomon*, in its glowing oriental imagery, to the fire of the Latin poet—"Un Juif n'est pas obligé d'écrire comme Virgile."

However kindly all this may be intended, it is fair neither to the country nor to the writers of the books; and the result is, that for the past ten years, no volume of poems has issued from the Irish press worthy the designation—with the single exception of the beautiful little volume bearing M'Carthy's name; —Samuel Lover's *Songs and Ballads*, though genuinely Irish, were published by Chapman and Hall, London.

Not one of these volumes was received with any other tone than that of approbation. We know that there are many reasons for the adoption of this course; we know that if an

author is educated, refined in taste, and of a poetic cast of mind, he may write very excellent verses, and that the critic may, if he be a kindly, friendly man, feel the full meaning of that thought of Horace which teaches, that it is not always agreeable to offend one's friend in trifles.

But there is no mercy, no compassion, in permitting the continuance of this evil. A man is a poet, or he is a poetaster; and if he will not, or cannot, discover his own position, it is the duty of those who profess to guide the public taste to show the would-be poet his true status. Prove to him, by extract, how much more admirably his subjects have been treated by others. Show him that to be a poet is to be a god, and that true genius breathes its burning thoughts in glowing words, and its beaming fancies in world-moving strains, raising the weary heart from cares of earth, soothing the lonely hours of solitude, calming the racked mind of disease-worn frames, and making the aged man dream once more of youth, in all its buoyant elysium of expectant bliss. To achieve this is to be a POET; to achieve it is to be that grand and holy thing which Alexander Smith so beautifully pourtrayed, when he wrote,—

> "As a wild maiden, with love-drinking eyes,
> Sees in sweet dreams a beaming Youth of Glory
> And wakes to weep, and ever after sighs
> For that bright vision till her hair is hoary;
> Ev'n so, alas! is my life's passion story.
> For Poesy my heart and pulses beat,
> For Poesy my blood runs red and fleet,
> As Moses' serpent the Egyptians' swallow'd,
> One passion eats the rest. My soul is follow'd
> By strong ambition to out-roll a lay,
> Whose melody will haunt the world for aye,
> Charming it onward on its golden way.
> 'Tis not for me, ye Heavens! 'tis not for me
> To fling a poem, like a comet, out,
> Far splendouring the sleepy realms of night.
> I cannot give men glimpses so divine,
> As when, upon a racking night the wind
> Draws the pale curtains of the vapoury clouds,
> And shows those wonderful mysterious voids
> Throbbing with stars like pulses."

If our Irish verse writers were taught to think lines like these contain the *germs* of poetry, and the true feelings of a genuine poet, we should not now be so flush of bards,—and our home poets would be world poets; or, but aspiring to the dignity of an album flight, would know nothing of the critics, would never

be forced to feel as that orator who, though eloquent as Demosthenes whilst addressing the pot-herbs in his garden, found that his ideas failed him when about to express his sentiments in a grave assembly, and excused himself for his blundering, by exclaiming—"Gentlemen, I perceive clearly that you are not cabbages."

To be a true poet one must be gifted with something superior to a taste for poetry,—and this distinction between taste and genius was truly and concisely expressed by Blair, when he wrote, that "taste consists in the power of judging, genius in the power of executing." Here it is that Dr. Waller fails. He is a man of considerable taste, and of apparently extensive reading in the poetry of various languages; but the astute acumen of the most brilliant critic, coupled with the widest range of study in belles lettres, could not form a poet, or supply the defect of poetic genius. Hence, we find that Dr. Waller has not succeeded in producing a poem, whilst he has written very many pleasing, and even admirable songs. He has been so frequently called a poet that he has really begun to fancy himself one—and soaring above lyrics and translations, has printed twenty-two pieces in blank, and rhyming, metres, which he courageously entitles "Poems."

We have stated that Dr. Waller is gifted with the power of producing very excellent lyrics, and for this branch of poetic composition, his little work proves his perfect aptitude; and proves, too, the great accuracy of Doctor Johnson's remark, that—"all intellectual improvement arises from leisure, and poetry demands it more imperatively than any other pursuit." Dr. Waller is a barrister, has written a legal work, attends Court regularly, employs himself as other men, and thus, in endeavouring to unite Law and Poetry, has forgotten the sage lines in which we are told, by Sir William Blackstone,—

> "The wrangling courts, and stubborn law,
> To smoke, and crowds, and city draw:
> There selfish faction rules the day,
> And Pride and Avarice throng the way;
> Diseases taint the murky air,
> And midnight conflagrations glare;
> Loose Revelry and Riot bold,
> In frighted streets their orgies hold;
> Or when in silence all is drown'd,
> Fell murder walks her lonely round:
> No room for peace, no room for you,—
> Adieu, celestial Nymph, adieu."

Forgetful of this wise opinion, recorded by the most ac-

complished of jurists, Dr. Waller has attempted to be a lawyer and a poet, and has failed.

The misfortune of a poetic taste is, that it induces one to read poetry extensively; from reading arises admiration, and from admiration unconscious imitation springs, as a necessary consequence. Thus, when Coventry Patmore fancied that, in his *Lilian*, he gave to the world that precious thing, an original poem, he was only vexing the expectant reader with a weak copy of *Locksley Hall;* and Dr. Waller, who can write an admirable original song, must swell his volume, by placing before us his *Ravenscroft Hall*, his *Sleep and Death*, and his *Laborare est Orare*, which merely prove that he is an ardent admirer, and possesses a very just estimate, of all the beauties of Tennyson, of Longfellow, and of Byron.

In reading Dr. Waller's *Ravenscroft Hall*, we were most forcibly reminded of Tennyson, and of Alexander Smith; and certainly not to the advantage of our author. The plot of this tale is simple. The heroine is named *Alice*, and is introduced to us seated at a window, at a time when

> "The flush of day
> Had paled from crimson to that nameless hue
> That tints the sea-shell."

Now, this description of the Doctor's, "sweet summer eve" is nothing more than an imitation of Alexander Smith's picture of *Violet*, in his *Life Drama*, where *Edward* tells *Walter* that

> "On her cheek
> The blushing blood miraculous doth range
> From sea-shell pink to sunset."

Why did Dr. Waller call her *Alice*? Why did he seat her at a window? Who has not loved that other darling *Alice*, in *The Miller's Daughter?* There the boy hero had been wandering in the woods, and through his mind there ran the strain of some old love ditty—

> "The phantom of a silent song,
> That went and came a thousand times—"

and looking towards the casement of the miller's house he beholds his "other, dearer, life in life." Why did Dr. Waller call his poet-hero *Walter?* We have *Walter*, a true poet, in the *Life Drama*. Why did Dr. Waller commence his piece in Elizabethan idiom, and just seven pages afterwards introduce the 41st, 42nd, and 43rd stanzas from *The Talking Oak*, of, as *Alice* calls him, "Delightful Tennyson?"

But to the story: *Alice*, like *Tilly Slowboy*, is "an orfling," left in her tender infancy to the care of *Old Ravenscroft*. *Old Ravenscroft* has two sons, both these youths love *Alice*, and *Alice* loves *Ralph*, the elder son, and never for a moment thinks of *Walter*, the younger son, to whom she is everything; for, as he tells her, in a song,

"—— I seek to live in the rays,
The melting rays of thy starry eye."

Walter, with all his poetry, is a "muff"—he cannot witness the union of *Alice* and *Ralph*; she adds insult to rejection by singing *to Ralph*, as the expression of *her* feelings for *him*, a song which *Walter* had presented as the embodyment of *his* affection for her—which piece of roguery the jade had accomplished, as Dr. Waller informs us, thus:—

"It was his own song,
With here and there a word put in or changed.
A 'thee' for 'me,' thus made to speak the love
Of her *he* loved unto his happy rival."

The song is unworthy Dr. Waller's lyric powers—it is in the worst style of The Poet Bunn—and *Walter* appears to care little for his copyright—he does not cry—"that's my thunder"—but rushes to his father, abuses him, quarrels with his brother, and all but, "pitches into" the more successful young gentleman. That night *Walter* leaves his home, and wanders away, none know whither; true—

"Old Ravenscroft
Made search for him throughout the country round,
Instant and close, but tidings learned he none."

And all that his respectable father could discover of *Walter's* flight was, that upon the day of his departure,

"—— A youth was seen
Treading a sylvan pathway towards the coast,
Carrying a bundle, in a kerchief tied,
And slung upon a staff."

Time rolls on—full seven years pass:—

"Alice and Ralph had wed;
And two fair children blessed their happy home—
The home where Moreton and his wife had dwelt,
Some three hours' pleasant ride from the old hall."

Parturient and affectionate, here the happy heroine dwelt, enjoying, we may presume, as her health permitted, the salubrious advantages of the "three hours' pleasant ride," when she wished to visit the old gentleman.

At length, on a Christmas-eve, *Walter* returns incog. He

attends the parish church the following day—hears the songs of the children, sees his father in the family pew. The old man looks care-worn, *Walter's* heart is touched, he makes himself known—and a happy Christmas dinner crowns the joy of all concerned, including *Ralph* and *Alice*. *Walter* remains at home—the father dies, who, to use an expression of *Mr. Harry Foker's*, "cuts up fat," and some time afterwards,

> "—— It came to pass
> That Ralph and Alice died, and Moreton's lands
> Descended to their daughters; but the Hall
> Was Walter's by inheritance."

Walter rears his nieces till "opening womanhood," then dies, and leaves them all he possessed; his last request being that, each Christmas morning, at dawn of day, a choir of children should

> "Proclaim the Saviour's birth in Carol sweet,
> Before the Oriel window at the Hall."

Why Dr. Waller has called *Ravenscroft Hall* a poem, we cannot conceive. It is as prosaic as prose can be. It never rises above the merest common-place, and when descriptive of external nature is painful in its minuteness. In describing an ancient church, he writes thus:—

> Lofty nave and choir,
> With intersecting transept—high, square tower—
> Doorways, where from the clustering shafts upspring
> The pointed arch, and in whose deep recess
> Arch within arch, in lessening span and height,
> Rise from the frequent columns, shortening still
> As they retire, while still betwixt the shafts,
> And o'er the archivolts, run mouldings quaint,
> Zig-zag and toothèd, trefoils, leaves and flowers—
> The mullioned windows, in whose graceful sweep
> The rose evolves its intersecting curves
> In florid tracery, wherein is seen
> The gorgeous light of many-tinted glass—
> Buttress and parapet, and gargoyles quaint,
> Grotesquely leaning from the heavy eaves.——
> Beautiful temples!—

This is not poetry. It is not thus that Byron and Tennyson describe an object. Take the noble poetry in which the former paints the ruined glories of Greek and Roman greatness; take the lovely visions of oriental scenery, in which Tennyson describes those "islands at the gateways of the day" and the—

> "Larger constellations burning, mellow moons and happy skies,
> Breadths of tropic shade and palms in cluster, knots of Paradise.

Never comes the trader, never floats an European flag,
Slides the bird o'er lustrous wood land, droops the trailer from the crag;
Droops the heavy blossom'd bower, hangs the heavy-fruited tree—
Summer isles of Eden lying in dark purple spheres of sea."

Take Wordsworth, and in his deep-thoughted lines, no labored juggling with technicality is discoverable—but Dr. Waller either is ignorant, or forgetful of the great rules of his art, and endeavours to supply his deficiency in poetic diction, by an inversion of his prose.

In his *Sleep and Death*, the second piece of the volume before us, the author takes his epigraph from Shelley, and incited by the lines—

"How wonderful is Death,
Death, and his Brother, Sleep,"

introduces many scenes much better written by Moore, by Wilson, by Robert Montgomery, and by Robert Pollok. Indeed, Dr. Waller seems particularly anxious to attempt what great poets have already accomplished. He writes odes, forgetting Dryden and Collins. He writes a *Song of the Lark*, forgetting Shelley and Hogg. He writes songs of Irish peasant life, forgetting that greatest of living Irish song writers—Samuel Lover. He writes his *Slingsby Papers*, forgetting that they are only the worst of all bad imitations of the ever glorious *Noctes Ambrosianæ*. He writes a *Laborare est Orare*, of fourteen stanzas, forgetting that the whole inspiration of his verses is found in Longfellow's *Excelsior*, and he has endeavoured to excite the reader's feelings by a harrowing pourtrayel of physical suffering, in his *Sleep and Death*, forgetting that, in *The City of the Plague*, Wilson, years ago, accomplished this as only a poet could achieve it, yet drew from Southey the criticism that it was "like bringing racks, wheels, and pincers upon the stage to excite pathos. No doubt but a very pathetic tragedy might be written upon 'the Chamber of the Amputation;' cutting for the stone, or the Cæsarean operation; but actual and tangible horrors do not belong to poetry. We do not exhibit George Barnwell upon the ladder to affect the gallery now, as was originally done; and the best picture of Apollo flaying Marsyas, or of the Martyrdom of St. Bartholomew, would be regarded as more disgusting than one of a slaughter-house, or of a dissecting-room." This melo-dramatic plan is a common fault with many writers of verse in our

time; even in the books before us, we find the Reverend Mr. Brooke devoting his muse to such subjects as *Inflammation, Scarlet Fever, Consumption, Fever, Delirium Tremens, Infant Death, Sudden Death, and Violent Death.* But writers, who select such subjects as these, should bear in mind an observation of Fuseli's, that, "When Spenser dragged into light the entrails of the serpent slain by the Red Cross Knight, he dreamt a butcher's dream, and not a poet's."

We have not written thus of our author, either needlessly or unfairly. But can Dr. Waller really consider that such productions as these entitle any man to call them Poems, or to designate himself a poet? What is a Poet? One who makes the world bow down before the beauty, or the majesty, or the holiness, or the human naturalness of his creation. When, in the grand cadence of Milton's lines, the glory of the Lord, the wonders of the earth, the philosophy of a Christian belief breathing the majesty of Heaven-fired genius, swell into that diapason which sounds like to the strains of melody that he who loves sweet music hears in his morning dreams —then John Milton is a Poet. When, in every phase of fancy, so godlike, so lofty, so true, we follow that "heavenly Una" through her weary, dark, and lonely way, the sunshine of her loveliness the only light to guide her—then Edmund Spenser is a Poet. When, in all the paths of human existence, from Prince to Clown, *Hamlet* and *Macbeth*, *Hal* and *Autolycus*—from noble lady to low-born peasant wench—*Lady Macbeth* and *Juliet*, to *Hostess Quickly* and *Audrey*, great Shakspere sounds every depth of feeling, sways every passion, and rules every breast, by the magic of his own great heart-taught genius—then William Shakspere is a poet. When that second, lesser Shakspere,—who sang of nature in her homely moods, and in passion, love, and youth's full soul, found teachers such as schools have never furnished; when from his life, in humble youth, he drew such charms as only poets know, and left to after time such thought of beauty, manliness, and patriotism, as shall endure whilst nature lasts—then Robert Burns was a poet—and whilst Homer, Dante Ariosto, Tasso, Byron, Scott, Moore, great, thoughtful Wordsworth, Crabbe, Cowper, Tennyson—all swell the roll of Poets, —then can Doctor Waller call the twenty-two pieces, first printed in his volume, Poems? Do they possess a claim to any other classification than that of metrical commonplaces?

Do they show a mind like his, of whom Tennyson sings:—

"He saw thro' life and death, thro' good and ill,
He saw thro' his own soul,
The marvel of the everlasting will,
An open scroll,
Before him lay: with echoing feet he threaded
The secret'st walks of fame:
The viewless arrows of his thoughts were headed
And wing'd with flame."

If Dr. Waller would only remember these truths he would avoid long metrical pieces; he would not turn the Lord's Prayer into blank verse; he would not paraphrase the Burial Service; and would not perpetually remind us, in the words of his rather stale fancy, that life is like a stream. We wish Dr. Waller well, and we write plainly of his "Poems," because we are anxious to show him that his genius is lyrical. In long pieces, he is not superior to Mr. John Edmund Reade,* who re-writes Byron, unconsciously; and he merely excels Mr. Coventry Patmore, who copies his best bits from Tennyson, and who, when inspiration becomes too powerful to be intelligible, smothers its ravings in a mist of asterisks.

But it may be asked—is Dr. Waller a mere poetaster—is he one of the literary shams—the fungus excrescences of the periodical press? Far, far indeed, from this, we reply. He has only mistaken his powers; and, though he is not, as a song writer, equal to Samuel Lover, or Charles Swain, he is amongst the best, the sweetest, and most poetical lyrists of the time; yet in two of his best songs he has made three mistakes. In the first, he reminds us of Gerald Griffin's *Gille Machree*, and of Lover's *What Will You Do, Love?*† In the second, he is not Irish—he is Anglo-Irish—and his *Dance Light, for my Heart It Lies Under Your Feet, Love*—is not more genuinely Irish than *Katty Darling*, a veritable Cockney-Celtic production. We first insert, *Welcome as Flowers in May*:—

At day's declining, a maid sat twining
A garland shining with wild flowers gay;
But her heart it was sore, and the tears swelled o'er
Her eye, at the door, on that eve in May.

"And take," she cried, to her young heart's pride,
"From your plighted bride, on this holy day,
A true-love token of fond vows spoken
That may not be broken—these flowers of May.

"In life and in death, if you hold to your faith,
Keep ever this wreath, 'twill be sweet in decay;
Come poor or with wealth, come in sickness or health,
To my heart you'll be welcome as flowers in May.

* See IRISH QUARTERLY REVIEW, Vol. II., No. 7, p. 461.

† See this exquisite song in "Handy Andy."

"Yet oh, if ever, when wide seas sever
Our hearts, you waver in faith to me,
A true Irish maid will never upbraid
Affection betrayed—from that hour you're free!

"I set small store upon golden ore,
I'll not love you the more for your wealth from the sea;
The hand that will toil at our own loved soil,
Free from crime or from spoil, is the hand for me!"

The blessing half spoke, her fast tears choke,
And strong sobs broke the young man's prayer;
One blending of hearts, and the youth departs—
The maid weeps alone in the silent air.

Full many a score that lone maid counted o'er
Of day-dawns and night-falls—a year to the day—
When, sadly, once more, at the seat by the door,
Stood the youth as before, on that eve in May

For the love of that maid, wherever he strayed,
Kept his soul from stain, and his hand from guilt;
Like an angel from God, till his feet retrod
The cherished sod where his first love dwelt.

"I bring you no store of the bright gold ore
But poor as before, I return to-day;
For my bride I've no wealth but broken health,
Hopes withered and dead as these flowers of May."

The maiden has pressed her true love to her breast,
Her joyful haste no doubts delay;
In his arms she sighs "'Tis *yourself* I prize,
To my heart you are *welcome as flowers in May*."

Now to all who remember the songs by Griffin and Lover, to which we have referred, it must be evident that the last three stanzas of Dr Waller's lyric are nothing more than palpable "cribs." "'Tis yourself I prize"—is a piece of abominable vulgarity, in its expression, which Lover, like a true poet, has refined, whilst retaining all its strength, in the last stanza of his *What Will You Do, Love.* Dr. Waller, indeed, seems to have formed the style of his songs upon a metre in which Lover excels—namely, the short rhyming line—as we find it in *Molly Carew*, in *The Bould Soger Boy*, and in *Native Music.*

We place before the reader our author's very pretty song, which he entitles—

DANCE LIGHT, FOR MY HEART IT LIES UNDER YOUR FEET, LOVE.

"Ah, sweet Kitty Neil, rise up from that wheel—
Your neat little foot will be weary from spinning;
Come trip down with me to the sycamore tree,
Half the parish is there, and the dance is beginning.
The sun is gone down, but the full harvest-moon
Shines sweetly and cool on the dew-whitened valley;
While all the air rings with the soft, loving things
Each little bird sings in the green shaded alley."

With a blush and a smile, Kitty rose up the while,
Her eye in the glass, as she bound her hair, glancing;
Tis hard to refuse when a young lover sues—
So she could'nt but choose to—go off to the dancing.
And now on the green, the glad groups are seen—
Each gay-hearted lad with the lass of his choosing;
And Pat, without fail, leads out sweet Kitty Neil—
Somehow, when he asked, she ne'er thought of refusing.

Now, Felix Magee puts his pipes to his knee,
And with flourish so free, sets each couple in motion;
With a cheer and a bound, the lads patter the ground—
The maids move around just like swans on the ocean.
Cheeks bright as the rose—feet light as the doe's,
Now coyly retiring, now boldly advancing—
Search the world all round, from the sky to the ground,
No such sight can be found as an Irish lass dancing!

Sweet Kate! who could view your bright eyes of deep blue,
Beathing humidly through their dark lashes so mildly,
Your fair-turned arm, heaving breast, rounded form,
Nor feel his heart warm, and his pulses throb wildly.
Young Pat feels his heart, as he gazes, depart,
Subdued by the smart of such painful yet sweet love;
The sight leaves his eye, as he cries with a sigh,
"*Dance light, for my heart it lies under your feet, love!*"

This, as we have already stated, is not Irish; it has an Irish tag to Cockney verses.

The lines entitled, *There's a Lining of Silver to Every Cloud*, are in Dr. Waller's best manner; and though the metre has, as *Touchstone* says, "the right butter woman's rank to market," in its gingle; and whilst the lines have also "the very false gallop of verses," yet they are so poetical, that we must, "infect ourselves with them":—

"THERE'S A LINING OF SILVER TO EVERY CLOUD."

"Did a sable cloud
Turn forth her silver lining to the night."—MILTON.

One winter night dreary,
Dejected and weary,
I kept my lone vigil of sorrow and care;
Mistrusting—mistaking—
My heart full to breaking—
My soul seeking comfort, and finding despair!

All wildly and chilly
The wind whistled shrilly,
Drifting the clouds o'er the desolate sky;
Low moaned the ocean
In ceaseless commotion,
Dashing the spray of its billows on high!

Tearfully gleaming,
The young moon was beaming,
Struggling by fits through each gathering cloud;
Faint light now shedding,
Dark shades now spreading
Over the moonshine their vapoury shroud!

Ah! thus, thought I, sighing,
From birth to our dying,
Man's course is a struggle through trial and gloom;
Joy gives scarce a promise
That grief rends not from us,
O'er the light of our life looms the shade of the tomb!

But soon, to my wonder,
The cloud burst asunder,
And down through the fissure now streamed the moon's light;
Soft fell its splendour,
So tranquil and tender,
In showers of sheen on the face of the night

While all the cloud's margent
Was gleaming like argent—
Tho' earthward still sullen and dark was its shroud
I knew that towards Heaven
Its brightness was given—
A lining of silver spread over the cloud!

Then my soul rose in gladness,
And shook off its sadness,
I felt God can turn all our darkness to light;—
To-day what is sorrow
Make joy on the morrow—
Dry tears that are hiding His smiles from our sight!

I looked up, confessing
That Trial is Blessing,
To Him if each grief be spread out and avowed;
What from earth Man sees glooming;
God *above* is illuming—
"There's a lining of silver to every cloud!"

And here, for the present, we close our notice of Dr. Waller's poems. We observe that the press, both in Ireland and in England, have extended but little mercy to his book; and although we do not, as we have already stated, believe him to be a great poet, or a man possessed of remarkable genius or power, yet he really has undoubted claims to be considered a song writer of very brilliant fancy; whilst his versification is frequently full of sweet and charming melody.

Melody of rhyme and harmony of expression, however, do not make a POET. If it were so, Charles Swain, and other well-known song writers of our day, might rank, in the realms of Parnassus, with Byron, and Scott, and Wordsworth; but a POET must possess all these attributes, and, in addition, thought, before he can live in the hearts of his readers:—to resemble is not to be, and the hare which beat the drum so admirably—for a hare—was not a drummer, but only a hare beating a drum. If, in writing of Dr. Waller's little book, we have stated opinions apparently harsh or hypercritical—we have merely expressed, honestly, our genuine sentiments. We have no personal knowledge of Dr. Waller: we only know that he is a Tipperary man, and, therefore, must be a good fellow; he is a member of the Leinster Circuit, and must be a jolly, good-humored gentleman; he is a scholar, and a man of ability,—and our sole object has been to show him that he is not such a poet as his puffers would induce him to believe—the world and cliques judge differently of men's minds. Let Dr. Waller depend upon his own genius, then the critics will quickly learn his real worth, and instead of writing such absurdities as *Ravenscroft Hall*, he will delight his readers with many pieces as poetic and fanciful as—

THE FIRST CUCKOO IN SPRING.

One sweet eve in spring, as the daylight died,
Mave sat in her bower by her father's side;
(*Cuckoo! Cuckoo!*) so soft and so clear,
Sang the bonny cuckoo from a thicket near:
(*Cuckoo! Cuckoo!*) "Do listen, my dear,
'Tis the first cuckoo's note I have heard this year.'

The maiden smiled archly, then sighed—"'Tis long
I've waited and watched for that sweet bird's song"
(*Cuckoo! Cuckoo!*) "Ere winter he'll roam
With some beloved mate to his distant home."
(*Cuckoo! Cuckoo!*) "Ah, would I might roam
With that bonny cuckoo to his distant home."

The old man he frowned at the maid, and said,
"What puts such wild thoughts in your foolish head?"
(*Cuckoo! Cuckoo!*) "No maid should desire
To roam from her own native land and sire."
(*Cuckoo! Cuckoo!*) "I don't love a note
That comes from that foreign bird's weary throat.

"The blackbird and throstle, I love their song,
They cheer us through summer and autumn long;"
(*Cuckoo! Cuckoo!*) "And then they ne'er roam,
But they mate and they live all the year at home;"
(*Cuckoo! Cuckoo!*) "'Tis still the same note
That comes from that foreign bird's weary throat."

The old man he sleeps in the drowsy air,
While soft from his side steals his daughter fair.
(*Cuckoo! Cuckoo!*) There's a bird in the grove
That sings a sweet song all young maidens love—
(*Cuckoo! Cuckoo!*) Says the bird from the grove,
"I'm weary cuckooing this hour, my love."

The old man he dreams that the cuckoo sings
Close up to his ear very wondrous things;
(*Cuckoo! Cuckoo!*) "I love your dear Mave,
And won her young heart just without your leave."
(*Cuckoo! Cuckoo!*) "She is willing to roam
From her own beloved nest to my distant home."

Half in fear, half in anger, her sire awakes,
As her lips on his brow a soft farewell takes.
(*Cuckoo! Cuckoo!*) The old man is alone,
For vision, and cuckoo, and child are gone;
(*Cuckoo! Cuckoo!*) A sweet voice whispers near,
"We'll be back with the cuckoo in spring next year."

In conclusion, we would advise Dr. Waller never again, either under his nom de plume, *Jonathan Freke Slingsby*, or his real name, to publish another *Slingsby Paper*, or *Night With the Mystics*. He is neither learned enough, nor sufficiently well read, to justify his attempting a class of composition in which only one man has succeeded. When Dr. Waller can justly claim to be as learned, as richly gifted with genius, as buoyant in the strong tide of animal spirits, as fully acquainted with literature, as refined and piercing in criticism as Professor Wilson—then, and not till then, should he essay once more to produce *A Night With the Mystics*. His past efforts have been stupid, inane, and tedious—unworthy of him—of *The University Magazine*, and suited only to some struggling, petty serial of the London trade puffers. This is a plain expression of opinion, but it is true, in its fullest and plainest meaning.

Mr. M'Carthy is well known, to many of our readers, as a contributor of poetic pieces to *The Dublin University Magazine*. Before joining that periodical he was a writer of fierce songs, of the "wrath and cabbage" style of patriotism, so much in vogue some few years ago in Ireland. His book

possesses all the beauties of Dr. Waller's volume, and is unmarked by the possession of one single blemish of the Doctor's muse. But is Mr. M'Carthy a POET? Do his thoughts live in the heart, and come back upon the memory in hours of joy or grief?—Do they make glad a summer noontide musing, or start to the lips when gentle heads are bowed to listen, or when thoughts are cast out in words, as mind is matched with mind, when the household sit around the winter fire, or by the student's table? These are the magic attributes of great poems; and though Mr. M'Carthy does not possess all these grand powers, he has thoughts and melodies of verse that charm the reader, till he longs for new and more frequent strains from one who sings so sweetly, and with such true, and deep, and gushing music.

M'Carthy has not the wild and flashing genius of Alexander Smith; he has not the mysticism of Tennyson; he has not the great, deep-hearted poetry of Massey, that

"Child of misery baptized in tears:"

but he has a fine and glowing fancy, full of poetic thoughts, and of quiet pathos, that serve him well, in weaving those charms that form bright spells to make his readers love the sweet creations that shine in his *Voyage of St. Brendan*, in *The Bell Founder*, and in many of his shorter pieces.

Those who are acquainted with Mr. M'Carthy's poems, must have regretted that he has confined himself to magazine writing, and to translations. A man of his poetic power can soar into space, so high, that Dr. Waller's wings can never bear him near the point; and hence it comes to pass that we would counsel Mr. M'Carthy to imp his fancy to bolder flights, whilst we would advise Dr. Waller to remember that poetics are not poetry. Because Mr. M'Carthy's ability is great, we have compared him, as a poet, with the poets of our own day, rather than with those of an earlier era. Byron, Moore, Scott, and Shelley are, day by day, becoming to the young poets of our time what Pope and Thomson were to those just named; great lights by which to steer, not run against; and he who strikes out for himself in this age, even old thoughts, clothed in any versification save that of Pope and of his contemporaries, is most likely to be named a poet: he who attempts to write in the metre and style of Byron or Moore is sure to be proclaimed a plagiarist. Therefore it is that we have named Tennyson, and other poets of to-day, in writing of M'Carthy. Hence, too, it may be, that Mr. M'Carthy has squandered

his genius and time in translating, and in translating, in particular, such poems as those of Calderon: works, with a translation of which, however well executed, no man who is acquainted with the Spanish language can express himself satisfied,—more than he who understands German can feel pleased with any translation of *Faust;* and it appears to us that Mr. M'Carthy has been employed to translate Calderon's plays, for the simple purpose of enabling Mr. Charles Dolman to prove, that if Spain posessed an Inquisition, she also possessed a dramatic poet; and in preserving the metre of the language in which the plays were written, Mr. M'Carthy has presented his readers with an octo-syllabic metre, very Hudibrastic, and verging ,sometimes, upon the doggrel, and occasionally upon the ludicrous: as, for example, the following:—

FIRST MOOR.

Here is a Christian lying dead.

SECOND MOOR.

Let us, lest a plague should spread,
Throw these corses in the sea.

BRITO, *starting up.*

First your skulls must opened be
By such cuts and thrusts as these;
For, even dead, we still are Portuguese.*

These are the absurdities continually occurring in the translations, which Mr. M'Carthy should never have undertaken, and when he had undertaken them, he should have avoided the embarrassing metre selected, which continually reminds one, in its blank verse, of *The Critic*—in its rhyming metre, of the "tags" in *Chrononhotonthologos.*

That Mr. M'Carthy has translated Calderon's *Dramas* well and ably, we admit. Possibly since the sketches, or beauties, of the *Dramas* appeared in *Blackwood's Magazine,* thirty-four years ago, when Lockhart was introducing these *Dramas* and *The Spanish Ballads* † to English readers, no such excellent versions have been published. We are not now reviewing these translations; we shall devote to them a more considerable space than our present paper will permit; we have introduced them here as we could not permit so remarkable a work, by an Irish resident litterateur, to pass without a reference, however slight.

* See "Dramas of Calderon." Vol. I. p. 40.

† See "Blackwood's Magazine," from February, 1820, to 1825—the papers are entitled "Horæ Hispanicæ."

In poetic description of external scenery, lies Mr. M'Carthy's chiefest power: his best poem, as affording brilliant evidence of this opinion, is the exquisite *Voyage of St. Brendan*. The following passage, descriptive of the mocking bird, is from that portion of the last-named poem, entitled "The Paradise of Birds," and is extremely beautiful:—

Colour and form may be conveyed in words,
But words are weak to tell the heavenly strains
That from the throats of these celestial birds
Rang through the woods and o'er the echoing plains:
There was the meadow-lark, with voice as sweet,
But robed in richer raiment than our own;
And as the moon smiled on his green retreat,
The painted nightingale sang out alone.

Words cannot echo music's winged note,
One bird alone exhausts their utmost power;
'Tis that strange bird whose many-voiced throat
Mocks all his brethren of the woodland bower—
To whom indeed the gift of tongues is given,
The musical rich tongues that fill the grove,
Now like the lark dropping his notes from heaven,
Now cooing the soft earth notes of the dove.

Oft have I seen him, scorning all control,
Winging his arrowy flight rapid and strong,
As if in search of his evanished soul,
Lost in the gushing ecstasy of song;
And as I wandered on, and upward gazed,
Half lost in admiration, half in fear,
I left the brothers wondering and amazed,
Thinking that all the choir of Heaven was near.

Was it a revelation or a dream?—
That these bright birds as angels once did dwell
In Heaven with starry Lucifer supreme,
Half sinned with him, and with him partly fell;
That in this lesser paradise they stray,
Float through its air, and glide its streams along,
And that the strains they sing each happy day
Rise up to God like morn and even song.

Mr. M'Carthy is not a very deep student, or a very profound analyst of human passion; but of beauty, in all its phases and forms, he is a brilliant painter. The following lines are from his fairy tale, *Alice and Una*, and we insert them, as they are a very charming specimen of a style of metre, the leonine, in which Mr. M'Carthy excels.*

Maurice, the lover, is supposed to enter the fairy glade, and the half elfin, half ideal, beauty of his mistress is thus described:—

With a sullen sound of thunder, the great rock falls asunder,
He looks around in wonder, and with ravishment awhile,
For the air his sense is chaining, with as exquisite a paining,
As when summer clouds are raining o'er a flowery Indian isle;
And the faces that surround him, oh! how exquisite their smile,
So free of mortal care and guile.

* But our poet occasionally nods, until he all but tumbles, in pursuing this troublesome and most embarrassing metre, as for example:—

"All maidens will *abhor us*—and it's very painful *for us*
To tell how faithless Maurice forgot his plighted vows."

These forms, oh! they are finer—these faces are diviner
Than, Phidias, even thine are, with all thy magic art;
For beyond an artist's guessing, and beyond a bard's expressing,
Is the face that truth is dressing with the feelings of the heart;
Two worlds are there together—Earth and Heaven have each a part—
And such, divinest Una, thou art!

And then the dazzling lustre of the hall in which they muster—
Where brightest diamonds cluster on the flashing walls around;
And the flying and advancing, and the sighing and the glancing,
And the music and the dancing on the flower-inwoven ground,
And the laughing and the feasting, and the quaffing and the sound,
In which their voices all are drowned.

But the murmur now is hushing—there's a pushing and a rushing,
There's a crowding and a crushing, through that golden, fairy place,
Where a snowy veil is lifting, like the slow and silent shifting
Of a shining vapour drifting across the moon's pale face—
For there sits gentle Una, fairest queen of fairy race,
In her beauty, and her majesty, and grace.

The moon by stars attended, on her pearly throne ascended,
Is not more purely splendid than this fairy-girted queen;
And when her lips had spoken, 'mid the charmed silence broken,
You'd think you had awoken in some bright Elysian scene;
For her voice than the lark's was sweeter, that sings in joy between
The heavens and the meadows green.

But her cheeks—ah! what are roses?—what are clouds where eve reposes?—
What are hues that dawn discloses?—to the blushes spreading there;
And what the sparkling motion of a star within the ocean,
To the crystal soft emotion that her lustrous dark eyes wear?
And the tresses of a moonless and a starless night are fair
To the blackness of her raven hair.

In the volume before us there is a noble ballad poem, entitled *The Foray of Con O'Donnell.* It has all the dashing vigor that has given so wide a fame to Aytoun's *Lays,* and is extremely creditable to Mr. M'Carthy. We have seldom read a poetic description of an animal more striking than the following lines descriptive of a hound—the words are supposed to be recited by one of the bards,—and after the song has been concluded, the chief and retainers go forth and surprise the stronghold of the enemy. The whole passage is worthy of insertion:

"When comes the raven of the sea
To nestle on an alien strand,
Oh! ever, ever will he be
The master of the subject land.
The fairest dame, he holdeth her—
For him the noblest steed doth bound:—
Your dog is but a household cur,
Compared to John Mac Donnell's hound!

"As fly the shadows o'er the grass,
He flies with step as light and sure,
He hunts the wolf through Trostan pass,
And starts the deer by Lisnoure!
The music of the sabbath bells,
Oh, Con! has not a sweeter sound,
Than when along the valley swells
The cry of John Mac Donnell's hound.

"His stature tall, his body long,
His back like night, his breast like snow,
His fore-leg pillar-like and strong,
His hind-leg like a bended bow;
Rough, curling hair, head long and thin,
His ear a leaf so small and round:
Not Bran, the favourite hound of Fin,
Could rival John Mac Donnell's hound.

"O Con! thy bard will sing no more,
There is a fearful time at hand;
The Scot is on the northern shore,
The Saxon in the eastern land,
The hour comes on with quicker flight,
When all who live on Irish ground
Must render to the stranger knight
Both maid and wife, and steed and hound."

The trembling bard again retires,
But now he lights a thousand fires;
The pent-up flame bursts out at length,
In all its burning, tameless strength.
You'd think each clansman's foe was by,
So sternly flashed each angry eye;
You'd think 'twas in the battle's clang,
O'Donnell's thundering accents rang!

"No! by my sainted kinsman, no!
This foul disgrace must not be so;
No! by the Shrines of Hy, I've sworn,
This foulest wrong must not be borne.
A better steed!—a fairer wife!—
Was ever truer cause of strife?
A swifter hound!—a better steed!—
Columba! these are cause indeed!"

Again, like spray from mountain rill,
Up started Con:—"By Collum Kille,
And by the blessed light of day,
This matter brooketh no delay.
The moon is down—the morn is up—
Come, kinsmen, drain a parting cup,
And swear to hold our next carouse,
With John Mac John Mac Donnell's spouse!

"We've heard the song the Bard has sung,
And as a healing herb among
Most poisonous weeds may oft be found,
So of this woman, steed, and hound,
The song has burned into our hearts,
And yet a lesson it imparts,
Had we but sense to read aright
The galling words we heard to-night.

"What lesson does the good hound teach?
Oh! to be faithful each to each!
What lesson gives the noble steed?
Oh! to be swift in thought and deed!
What lesson gives the peerless wife?
Oh! there is victory after strife;
Sweet is the triumph, rich the spoil,
Pleasant the slumber after toil!"

They drain the cup, they leave the hall,
They seek the armoury and stall,
The shield re-echoing to the spear
Proclaims the foray far and near;
And soon around the castle gate
Full sixty steeds impatient wait,
And every steed a knight upon—
The strong small-powerful force of Con!

Their lances in the red dawn flash,
As down by Easky's side they dash;
Their quilted jackets shine the more,
From gilded leather broidered o'er;
With silver spurs, and silken rein,
And costly riding shoes from Spain;—
Ah! much thou hast to fear, Mac John,
The strong small powerful force of Con!

As borne upon autumnal gales,
Wild whirring gannets pierce the sails
Of barks that sweep by Arran's shore,
Thus swept the train through Barnesmore.
Through many a varied scene they ran,
By Castle Fin, and fair Strabane,
By many a hill, and many a clan,
Across the Foyle and o'er the Bann:—

Then stopping in their eagle flight,
They waited for the coming night,
And then, as Antrim's rivers rush
Straight from their founts with sudden gush,
Nor turn their strong, brief streams aside,
Until the sea receives their tide,—
Thus rushed upon the doomed Mac John
The swift small-powerful force of Con!

They took the castle by surprise,
No star was in the angry skies,
The moon lay dead within her shroud
Of thickly folded ashen cloud:
They found the steed within his stall,
The hound within the oaken hall,
The peerless wife of thousand charms,
Within her slumbering husband's arms:

The Bard had pictured to the life
The beauty of Mac Donnell's wife.
Not Evir could with her compare
For snowy hand and shining hair;
The glorious banner morn unfurls
Were dark beside her golden curls,
And yet the blackness of her eye
Was darker than the moonless sky!

If lovers listen to my lay,
Description is but thrown away;
If lovers read this antique tale,
What need I speak of red or pale?
The fairest form and brightest eye
Are simply those for which they sigh;
The truest picture is but faint
To what a lover's heart can paint.

Well, she was fair, and Con was bold,
But in the strange, wild days of old,
To one rough hand was oft decreed
The noblest and the blackest deed.
'Twas pride that spurred O'Donnell on,
But still a generous heart had Con;
He wished to show that he was strong,
And not to do a bootless wrong.

But now there's neither thought nor time
For generous act or bootless crime;
Far other cares the thoughts demand
Of the small-powerful victor band.
They tramp along the old oak floors,
They burst the strong bound chamber doors;
In all the pride of lawless power,
Some seek the vault and some the tower.

And some from out the postern pass,
And find upon the dew-wet grass
Full many a head of dappled deer,
And many a full-ey'd brown-back'd steer,
And heifers of the fragrant skins—
The pride of Antrim's grassy Glynnes,—
Which with their spears they drive along,
A numerous, startled, bellowing throng.

They leave the castle stripped and bare,
Each has his labor, each his share;
For some have cups, and some have plate,
And some have scarlet cloaks of state,
And some have wine, and some have ale,
And some have coats of iron mail,
And some have helms, and some have spears,
And all have lowing cows and steers!

There are other poems in Mr. M'Carthy's book that prove him to possess powers of the very highest order, and it is to us a matter of serious regret that one so gifted should not have striven for—nay, should not have achieved—for with true genius to strive is to succeed—a fame as wide and general as his merit deserves. He should aim at some higher position than that of a provincial Apollo, and this can only be accomplished by taking a wider and bolder range of subjects; by appearing more frequently before the public in the character of an author, than in that of an occasional contributor to magazines; and, above all, by scorning to translate, on any terms, however easy the task may be, or however tempting the compensation offered.

There are other names of those who have, in Dublin, recently published poetical works, upon our list, but we must, for the present, content ourselves by briefly referring to them.

Mr. Starkey is the author of some very poetical pieces, and has also written a long poem, entitled *Judas*. He has contributed many of his shorter poems to *The University Magazine*, and has composed various metrical translations from the works of French and German poets. Mr. Starkey is a man of considerable ability; he is more contemplative than Mr. M'Carthy, and we recommend all our readers to make themselves acquainted with the pieces entitled *The Death of the Oak*, and *The Amphitheatre*, in the volume before us; *The Song of the Pen*, too, is very fine,' in thought and execution, and *The Sonnets* are fanciful and poetical.

In his energy and force of expression, Mr. Starkey frequently reminds us of Robert Pollok: indeed the following passage, from Mr. Starkey's *Calypsis* is quite equal to some of the most powerful descriptions in *The Course of Time*. The *Spirit* has passed through many scenes, and, arriving in Britain, thus describes the ancient and modern inhabitants of the island:—

Medreamed that in my travel I arrived
At a sequestered spot.—What need to map
Its landmarks and localities, that men
Might say—'*tis here*?—Enough, that it was in
Broad and magnificent England. A descent
Swept from the verge of a half thinned-out wood
Into a fertile plain. A river went
Its way of peace along the humblest path
That it could find. And down the near descent
A bright brook brawled like infancy to find
Its river, and be silent in its arms.
Untended plants clung confidently round
Ancient oak-stumps, or peeping bits of rock,—
Where'er the charitable ivy failed
To keep its garment round the bones of earth.
—The sun had set. Keen was the frosty air.
Goats bleated on the edges of the moor;
And from the scanty copse there came a bark,—
A whining yelp, as of a houseless hound—
Or, it might be, a wolf.—A hut there stood
Upon the nether border of that slope,
Between the hill and stream; and it was rude,—
Logs roughly squared, wattled all through with twigs,

And daubed with clay; the roof with shingles spread,
And these kept down with stones. Above the hut
Curled a blue, fragrant vapour. Near the door
Lay a half-butchered stag upon his back,
Deep in the brisket, with his antlered head
Bent underneath him. I could now divine
What meant the yelping from the neighbouring copse,
And understood the culprit eagle's stare
Out of his eyrie towards the reeking flesh,
As if he weighed the danger of the theft
Against the gain of thieving.—I beheld
One tract was clear upon the topmost ridge—
A broad back-bone of rock. And on that spot
Huge stones stood in a ring against the sky,
Like ghosts consulting. And within the ring
Was a flat stone; and the flat stone was stained
Red.———
I beheld a man on the descent—
A noble savage—lusty, though uncouth,
A beechen spear grasped staffwise in his hand.
He had been hunting—and he bore some flesh
And skins upon his shoulder; and his breath
Stood on his bristly beard, as he approached
The hut of logs. He stooped, and lifted up
A stone. 'Twas black, and smooth, and chipped away
Beneath his finger. And he looked awhile,
And turned it round—and laughed; for he did see
A little leaf of stone in the black stone
Drawn to perfection.—But he bore it home.
And as I watched and wondered there, I saw
A dark, fuliginous mass of dingy smoke
Rise from the cottage roof.
——— But I passed on.

* * * * * * *
* * * * * * *

A traveller, I entered a great town.
The crush of human life swayed to and fro
Within the streets, which groaned with waggons, driven
Over the roaring causeways evermore.
I heard the plashing clank of many wheels
Rolled round in water; and the measured stroke
Of heavy hammers struck on bars of iron.
There was the mumbling ravenousness of O fire
ver its prey, as if it feared some foe
Would snatch the fuel from its jaws, before
The crackling bones were ashes.—And the smoke
Of furnaces was vomited from the throats
Of towering chimneys, high above the town,
Each like an ebon column bearing up
The overarching cloud which vaulted in
This forge of earth from heaven.
The workshops glow.
Sweats the grimed giant at his Cyclop toil,
Longing for eve, to lay his lubbar length
Down in his den. And on a stage there stamped
An orator before a listening throng,—
So vehement, you would have thought the world
Hung on his talk; although the roar around
Turned to a pantomime his legs and arms.
One ecstasy of action. I could hear
Him utter "*liberty*, and "*rights of man*;"
But more the hubbub of the boiling town
Snatched from my ears. But I had seen these words
Posted about on walls, in characters
Of every colour and preposterous size.
There, in the twilight of a dingy room,
A man sits bent above a whirling wheel,
Holding some slender wires of steel in 's hand.
A gauze-net masks his mouth, and a small dust
Flies from the rods, as they do touch the wheel.
His cough is hollow—brow oppressed with thought,
And with disquietude. Two daughters near
Are prankt as if for festival: bedight
With combs of brass, and tawdry finery,
Preparing to depart, and take their stand
All day before the mules, within a room
Vast as God's temples, and more thronged than they
With that pale class which ministers to wealth.
At length, sounds took a meaning in mine ears,
And spoke a language I could construe. Hence
Dull tramplings came of troops upon the march—
And that was war. And hence, despairing shrieks
Of wives by drunkards struck—and that was vice,
And hence, the hurried whisper of the thief—
And that was crime. And hence, the chuckling laugh
Of rogues dispensing justice to their clients,
And taking their possessions as their fee—
And that was law. And hence, the cries of babes
Expiring at the breasts of milkless mothers—
And that was poverty. And hence, the hum
Of hundreds struggling in a stifling room
To pass each other, over slippery floors,
And under blazing lights—and that was fashion.
And hence, the roar of reckless debauchees—
Hip—hip—hurrah!—and that was pleasure. And
Hence, the unceasing shovelling down of earth
Over corruption—that was death. And hence,
From every corner of the crammed expanse,
The Babel-babble of the multitude
Building out heaven—and that was human life.
I saw a wall enclose an ample space,
Whence waggons without number day by day
Drew forth great loads of blackness. And within,
Just in the centre of that space beneath

The melancholy tossing of a beam,
Which swayed for ever up and down, there yawned
A gulf. And as I watched, came oozing up
From its infernal source, the thing itself.
I could not but admire the desperate haste
With which men seemed to seize the sightless ore,
And bear it off as if 'twere gold. But they
Told me that gold itself were worse than dross
If it could not be made to purchase this.
This was what fed the fire, which nerved the force,
Which urged the wheels, which worked the million works,
Which minister to man, and make him what?
Not God, nor like to God; but simply that
Which can dispense with God, or suffer him
A church or two, amidst a thousand fanes
To every idol of earth's Pantheon,
Given as a compromise to that fond few
Who choose to think that in these forward times
God is for grown-up men.
I bent me down
And gathered up some fragments of the thing
More precious than was gold. And I descried
Within the shimmering of the brittle stone,
Traces of ferny leaves, and Ammonites,
And Nautili, and Favulariæ, thick
With foliage, and the taper Calamite,
And such included spectres of the past,
Cast from the chasms of their primeval graves
To form the worship of a modern world.
I thought—and thought—long while: and to my thought
There rose the vision of the future state
Reserved for these materials, thrust within
The furnace blast,—heaved up the roaring throats
Of chimneys—turned adrift upon the clouds,
And hurried thence—whither? who knows?
And then
There rose the vision of the future state
Reserved for those who worshipped the black stone.

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And I was hurrying on.—But one approached,
Bright with the pearly lustre of the skies,
And, wafting me to a surpassing world
Of loveliness and amaranthine bloom,
Whispered within mine ear words full of deep
And inexpressive meaning. Would that I
Had power to utter in the ear of earth
What was revealed in mine! The evasive Truth
Stood up erect before me: how the fate
Of things gone by was yet to be fulfilled,
When of the myriad past no millionth part
Should prove to have been formed in vain: how life
Slumbered in death, as death lay hid in life;
The soul that floats upon the waters, and
Sails through the air, and grows within the ground,
The spirit of intelligence, and hope,
And power, and light, and beauty: how the Last
Was from the First foreseen—provided for:—
How in the steaming of that torrid plain,
And in that black abyss of life-like death,
The vast metropolis of after days
Lay like a prophecy:—how wombed within
That mighty city, like an embryo,
Throbs its own destiny, for future birth
After the fashion of its parent, but
To nobler fortunes heir:—how in the full
Accomplishment of some deep-reaching plan,
The Past, so lost in its entanglements,
Will hang connected like the golden chain
Fabled to hang from deity to earth,
Of which the loftier links bear all below,
But e'en the lowest hold the earth to heaven;—
And thus, how all is part of one great whole;
And not a frond of Fern, or spiral shell,
Or fragment of the fragile Calamite,
But had its place and uses pre-ordained
From all eternity. And by a long
Analogy of wisdom, I was left
To argue deeper mysteries than these,
To see in the perspective, half revealed,
The permanence and dignity of mind.
The subtle thoughts that ramified in brains
Long since dry dust:—the foliage of the heart
Waved o'er forgotten paths:—the healing fruit
From nameless virtues ripened:—the black juice
Of secret influences, poisoning acts
Which with the actors slumber in the depths
Of unrecorded history:—all were there,
Stamped on the strata of remembrance, thence
To be upheaved in plenitude of time
Into the light, and spread before our eyes
As witnesses. I dimly saw the spring
Of all that's done from all that has been done:—
And the significance of every deed,
To prove, illustrate, and account for man.
Of such I caught a glimpse—obscure but vast,
Like the far outline of an Alpine range
Sublime against the heaven. I learned that Love—
Love as it is in God—as it is God—
Resolves the mighty problem of the world—
And there was more—much more than I can speak,
Within the rapture of that whisper——
* * * * * * *
Fain
Would I have dwelt in that delicious land
For ever:—but my hour was not yet come—
My life was due to life. And so I dropped
Down to the earth again—to meditate.

The Rev. Mr. Brooke should be a poet by birth, if genius were transmittible by inheritance, as he is a descendant of one who was, in his day, a distinguished poet—the author of *Gustavus Vasa*. But Mr. Brooke should remember that poetry loses its god-like character when it seeks for meretricious aid from subjects of a painful or disgusting nature. Delirium Tremens is not a pleasing subject for a poem, yet Mr. Brooke has adopted it. Scarlet Fever is not a very poetical theme, but Mr. Brooke has selected the disease as the subject of some verses, in which the following appear:—

"Alas, alas, thy words are true."
She sat upheaved upon a pillow,
Her face all flushed with scarlet hue,
Her chest wild heaving, like a billow—
Fainting, yet fighting hard for breath,
In sinking Nature's strife with death.

The black blood trickled from her lips;
From side to side her head she cast,
While o'er her glassy eyes' eclipse
The thick brown films were gathering fast.
Oh, what a weight of dire distress
Wrought fearfully on that young face!

Mr. Brooke calls his book, *Poems Illustrative of Grace, Creation, Suffering;* but does he think it poetical to turn into rhyme *Cooper's Surgical Dictionary*, or to versify *The Physician's Vade Mecum.?* That he is possessed of poetic ability is clear, and if he were to confine himself to subjects of a legitimately poetical character, we doubt not his ability would be generally acknowledged. His power of versification is sweet and musical, and, as a specimen of his style, we insert the following lines:—

THE DEATH-BED OF JACOB BEHMEN.

When within the walls of Gorlitz the Teutonic Mystic lay,
Circled by his weeping dear ones, watching till he passed away;
When, with coming death contending, the reluctant flame of life,
Leaping in its silver socket, scarce maintained the dubious strife:

It was day-break, and the crimson of the purple skies had come,
Like a spirit, through the lattice, flushing all the sick man's room,
Lighting up his fixing features, calm as marble sculpture-wrought,
With something like the lofty life of former tone and thought.

Broader, brighter broke the morning, and the crimson hues are gone,
And blazing all with gems and gold, upheaves God's glorious sun.
Was it this that stayed the life-tides, as they slowly ebbed away?
Was it this that checked the spirit, ere it soared to endless day?

Up spake the dying man, and said, "Ope the door, that I may hear
That soft music which is ringing wild and sweet within my ear;
Heard you not that strain excelling?—blessed sound, it sinks and falls:
Oh Lord, it is thy thrilling voice that for my spirit calls.

"Oh, strength of love—oh, life of death—my God, above this hour
Lift me. Oh, Christ, the waves are strong, but stronger is thy power."
Then to the wall he turned his face—"I am going hence," he cried,
"To Paradise, to meet my Lord;" and softly thus he died.

And was it not a marvel strange, in such an hour to see,
How God did loose his servant's mind from its life-long fantasy?—
How one like him, so overwrought, who had leaped beyond all rules,
To plunge in depths untrod alike by sages and by fools,

Rapt in the sainted Sabbath, trod the centre and the ground
Of man's nature, shadowed over with a mystery profound—
Felt the touch of God the Saviour, in seven days' shadow dim,
Saw the Spirit with his lamps—held his peace, and worshipped Him?

To think that such a mind and man, on this, his dying day,
Like a river issuing bright and swift from weeds that clogged its way,
Heard but the heavenly shepherd's voice, as the shadowy vale he trod,
Then laid him down, like some dear child, and slept to wake with God.

These are the only poetical publications issued lately from the Dublin Press, to which we can at present refer. In future papers we shall resume this subject, and, under their proper heading, and more particular arrangement of style of composition, refer to the poems of the De Veres, of Lover, of *De Jean*, and of Davis, *The Belfast Man*.

We have, indeed, in this paper, dwelt rather upon the position of our resident litterateurs than upon the merits or demerits, critically considered, of the authors. We have pointed out the faults of Irish literary life; we have indicated the causes which conduce to make literature here a trade, rather than a profession; where he who possesses, or fancies that he possesses, talents, uses these talents as a chaffering peddler displays his wares to a country wench, putting upon them, not the true rate of an open market, but the tricky price which can be obtained where pretence passes for reality, and where impudence assumes for vulgar presumption a value which belongs only to open, confessed, and genuine merit. Therefore it is, that men of no ability become, to the Dublin public, men of ability; and men of ability become men of great genius; and thus the whole system of quackery and puffery produces its fledglings of Parnassus, whilst all is literary envy, literary detraction, and literary snobbishness. No man receives his real and deserved praise or censure,—he is puffed by his friends and decried by his opponents,—this, alas! is the position of Irish literature, and the merit, or demerit, of our poets, from the specimens we have inserted—we leave to the judgment of our readers.

The scientific and medical professions are doing man's work in our country. Within the past eight months two most ably and cleverly conducted journals have issued from the Dublin Press, and in *The Monthly Journal of Industrial Progress*, in *The Dublin Hospital Gazette*, with their learned and zealous supporters, we believe full evidence is furnished that at length dilettanteism in these walks of life is exploded, that Irish learning can find field for its display at home, and need not fly to England or Scotland to make itself known; possibly from this effort upon the part of scientific Irish-

men may arise a spirit which will extend its influence to those of their fellow countrymen whose genius, or whose bent of mind is merely literary, and thus all may learn, what some men know, that to be the chief genius of a clique, or of a section, is to be as unlike a man of true genius, as "a wit amongst lords," is unlike "a lord amongst wits."

Art. II.—JOHN BANIM.

PART. I.

INTRODUCTION. BIRTH. SCHOOL DAYS. YOUTH. FIRST LOVE.

In reading the biographies of literary men he, who observes the results of their life labors, but too frequently closes the pages describing the final scene of all, impressed by the sad truth that genius is a glowing complexion of the mind, and, like to that of the radiant-hued cheek, is only a "fatal gift of beauty," "betokening a dower unto the tomb." Genius, from the first, has toiled in want, in pain, in sorrow. Genius has had its Martyrs too, and, standing in Poets' Corner, we can fancy that there float around us the dim, sad, spectres of Churchyard proclaiming that

"Poverty and Poetry his tomb doth enclose"—

of Nash lamenting, with a wild fierceness—

"Why is't damnation to despair and die
When life is my true happiness' disease"—

of Chatterton, daring starvation so bravely despite its gnawing pangs—of Otway choked by the beggar's crust, devoured too ravenously—of Goldsmith living on pennies—of great, noble, Samuel Johnson wearing out his bright years in poverty, but a man in all—of Kirke White, poor murdered child of song and sorrow—of John Keats, by his solitary hearth, a gloom-rapt soul, to whom

"—The bare heath of life presents no bloom—"

of Gerald Griffin, so worn and wan before his time, starving by day, and awakened at night, by the dread pulsation of his

throbbing heart, to sigh lest day and its toil had come once more,—and, most woful of all, Sir Walter and Southey, so good and true in all that makes the nobility of christian manhood, so bright in intellect, and so dauntless in labor once, but so crushed and broken at the close of life,—come before us, all teaching great truths in the moral of their lives—and proving too, that old Burton judged rightly when, in *The Anatomy of Melancholy*, he quaintly wrote, that the Destinies of old "put poverty upon Mercury as a punishment, since when, poetry and beggary are Geminii, twin-born brats, inseparable companions. Mercury can help them to knowledge, but not to money."

It is true that genius has often been its own doomster. Debauchery and improvidence have, alas! been lures to lead the grandest souls to ruin; and fancies which, in the dawn of fame blazed bright in beauty, have set in black clouds of gross and earthy passion. But there are other sufferers who have perished in the contest with the world, and who, in mental anguish, and in bodily pain, attempted to accomplish the great deeds of which in youth they dreamed those dreams that come only in the days when

> "—All we met was fair and good,
> And all was good that time could bring,
> And all the secret of the spring
> Moved in the chambers of the blood."

These are the real Martyrs of genius who, commencing life in strength and hope—with that hope whose rosy light tints every rugged pathway in the far off steeps that must be passed ere the gorgeous dream-land of golden fame can be reached; commencing life too, with that power which ever dwells in the deep heart of youth, making to-day but the training ground for a future, when, amongst the clashing of minds, in the jarring struggle the world, triumph shall crown him a victor,—hope on for ever.

Such a man as this was John Banim: a bright-hearted, true-souled Irishman. He began his way of toil in trusting daring, —side by side with a loving unchanging wife, he would try the power of his mind, the readiness of his intellect, and the versatility of his genius; and had Omniscient Wisdom spared him health, as fully as it bestowed upon him energy of soul, and each ability of mind, he would have been the Scott of Ireland. But all his life long he labored amidst the frowns of Fortune or the tortures of disease. He wrote in the intervals of anguish, frequently too, during its paroxysms, and closed his life a mind-wreck,

drifting away upon the lone black sea of pain and sorrow. But herein it is that his life deserves a record: its home love, its beautiful affection for her whom the Germans so thoughtfully call The House Mother; his never-flagging hope; his patient endurance; his triumphs; his efforts after excellence as a novelist, form many important teachings for him who would enter the world a candidate for literary fame.

Banim was, in heart and soul, a man; and in toiling onward in his self-chosen profession, amidst all his griefs he was ever a hero, disdaining to be, while the soul of a man dwelt in manhood's frame—

"An infant crying in the night:
An infant crying for the light:
And with no language but a cry."—

Work, was his motto, and of the great psalm of life he made the anthem

LABORARE EST ORARE.

Like Southey, he was always hoping, and always working,—and the glory of his toil was not in the present work, but in that which should be accomplished in future times: like Scott, he loved the humorous side of things, and when not in heroics was most at ease. His letters are more hearty than those of Moore; and the self-reliant independence of one who would be successful by his own efforts, is plain and evident in all his communications with the household at home. From the first letter to the last, now before us, these feelings are fully expressed; and much as we have read, much as we know, of literary men and their habits,—we believe that of those who are the supports of the periodical Press, there is no man whom a Christian, a gentleman, or a brother litterateur would prefer to have called Friend, before John Banim.

In the year 1792 there resided in the city of Kilkenny a young, hard-working man, named Michael Banim. A natural love of out-door exercise and field sports had sprung up in his breast, and had been strengthened by all the influences that extend to young men who reside in a county, even less remarkable for the sporting habits of its gentry, than of those exhibited by the members of the once famous Kilkenny Hunt. Michael Banim united pleasure with business, pushing his way in the world as a trader in all the necessaries of a sportsman's and angler's outfit,—dealing in everything from a

fowling piece of John Rigby's to one of Martin Kelly's fishing rods. He was a farmer too, and kept a pair of well bred horses.

From the days when *Venator*, in *The Complete Angler*, kissed the pretty milkmaid, who sang so sweetly,—(one could wish, with Sir Thomas Overbury—"that she may die in the spring, and, being dead, may have good store of flowers stuck round about her winding sheet"—)and for which the grave *Piscator* reproves him, with a, "Come, scholar! let Maudlin alone: do not you offer to spoil her voice," to the time when young *Squire Thornhill* stole away the heart of poor *Olivia Primrose*, sportsmen have been the victims of bright eyes, and have made fond husbands too, notwithstanding the calumny of the jilted lover in *Locksley Hall*, who declares of his sporting rival—

" He will hold thee, when his passion shall have spent its novel force,
Something better than his dog, a little dearer than his horse":—

and so Michael Banim fell beneath the power of the god who "rules the Camp, the Court, the Grove," and was married, in the year 1792, to Joannah Carroll.

She was of honest, respectable parentage, and of her character, and personal appearance, her eldest son, Michael, has given, in describing *Rose Brady*, the heroine of *The Ghost Hunter and His Family*, the following sketch:—

" She could not be called beautiful, for her nose was neither Roman nor Grecian; nay, as we wish to speak candidly in all cases, we must confess that it was rather broad at the base, and perhaps about the sixteenth of an inch too wide. But then her lips were cherry-red, and beautifully formed; her forehead was as smooth as polished ivory; her cheeks were round and peachy, and, in colour, ' like to the Catherine pear, the side that's next the sun:' her chin was full, marbly, and a little dimpled; and as for teeth, Rose might be excused for unnecessarily displaying them, had she had the vanity to do so. The eye is the gem of the countenance; and Rose could boast two dark hazel ones, beaming with good nature, or with affection, full of sense and intellect, and sometimes shooting forth a sly humour. She was not tall, but her figure was nicely moulded. Richardson, while enumerating the perfections of his Clarissa, (poor, poor Clarissa!) relates that her attire always bore the gloss of newness. We claim the same praise for our humble little heroine, and we add that whatever she wore, seemed of the exact colour, kind, and pattern, which became her best.

"She was as cheerfully industrious as a bee in the garden. Almost from her childhood she had been accustomed to earn something for herself, and by assiduity and prudence in her occupations, she was enabled not only to contribute to the comforts of the family, but to 'put money in her purse:' and that purse, a capacious one of gold-flowered silk, lay in a deep corner of the chest in her bedroom, and into it guinea after guinea found their way, until Rose had laid up her own dower."*

She possessed a mind of very superior order, and a store of good sense, and womanly, wifely patience; and these, with health and trust in Heaven, were her only marriage portion.

Michael Banim was a man of hasty temper, but with a fund of deep and genuine feeling at heart; and here his wife's gentle affection was the quiet soother of all care; and soon he was a man well to do in the world; respected by his superiors in rank, and, best test of all, of one's real worth, respected by his neighbours and by his equals.

In August, 1796, there was born to him a son, named Michael, who is still living, and whom, in the course of this biography, we shall have frequent occasion to mention. His second son, John Banim, was born on the third day of April, 1798.

John grew up a plain looking child, with great staring eyes; and his only characteristic was a kind, loving disposition, which endeared him to all the humble household. He was petted by his mother, and her kindness, in conjunction with his own love of those about him, rendered his early years but one united train of childish joys.

His mother, as we have stated, petted, and, as a matter of course, indulged him; the best place at table, and the nicest dainties of the dinner, even in mere childhood, were his; and although Mrs. Banim did not spoil her boy so excessively as did Quick, the actor, his little girl, who, because she wished to dabble her feet in the gravy of a saddle of mutton, was permitted to sit astride upon the joint, yet little John Banim merely escaped the socially atrocious character of an *enfant terrible*.

His father was a man of some information, for his position and time; his mother was a woman of good mental powers, increased and strengthened by a love for reading. Thus both the parents of the future novelist were capable of understanding and appreciating the advantages of education, and in

* See "The Ghost Hunter and His Family," p. 34.

his fourth year their son John was sent to a school kept by Mrs. Alice Moore, where it was possible to learn the *Horn Book*, and some fair share of the rudiments of reading,—provided the words were not too long, and were those in ordinary use.

Here, however, John did not continue a scholar. Like the more famous Academy and Lyceum, Alice Moore's school was held upon the ground floor, and this circumstance so much excited the indignation of little Banim, that he rushed to his home from the cottage seminary, after an hour's tuition, declaring to his mother that he could not stay in a school where "there wasn't a bit of paper on the walls, or a step of stairs in the house." Mrs. Banim thought this outburst but the childish indication of an aspiring mind, and did not force her little boy to return, but sent him to the school of a Miss Lamb, who appears to have taught him the very merest branches of learning. She was, like many other school mistresses, good-humored, quiet, and fat—women who are supported by parents simply because they act as a species of upper nurses, keeping the children from harm and home. With Miss Lamb, John remained until he could, as she used afterwards to boast, "turn the *Primer*."

In his fifth year he was removed from Miss Lamb's to a school at that period well known in Kilkenny and its vicinity, as "The English Academy, Kilkenny." Its master, Mr. George Charles Buchanan, was an oddity; and if ever man, lived, for whom the apology offered by Sir Walter for one of his characters should be freely admitted as a plea in bar of all deprecation, George Charles Buchanan could claim its fullest benefit, for truly "the man was mortal, and was born a schoolmaster."

Banim was, as we have observed, adoringly fond of his mother. With a child's love he ever feared to lose her, and about the period of his entrance into Mr. Buchanan's school his chief grief was, lest a notorious highway man of the time, named "Farrel the Robber," should steal away his mother whilst he was absent. This phantom haunted all his hours of play; and if for a time he forgot his mother's fancied danger, upon recollecting the fact, he deserted his playmates, and ran to the house to assure himself of her presence and safety. She, in her turn, used to watch for him, and as the eager little face was pressed to the window, she smiled upon it those smiles which gave a balm to many a sorrow in after years.

A young, warm soul like this could not confine itself to one object of affection; and John's love for his elder brother, Michael, was, even in these years, tender and devoted. The second day after John's introduction to Mr. Buchanan's establishment, Michael was placed upon his knees in the centre of the school-room, in punishment for some fault. John enquired the reason, and finding that it was but the preliminary to a more severe punishment, rushed to his brother's side, and threw his arms around the offender's neck. The master ordered him to his seat—he but clung the closer; and threats were unavailing to induce him to abandon the culprit. Bribes were tried :—five shillings were offered, he was unpurchasable—two crown pieces, bright and shining, were clinked before him, but all was unavailing; and at length, as the reward of his consistent affection, his brother was forgiven, John led him in triumph to his place, and having seen him safely seated, burst, for the first time that day, into tears.

Michael Banim, the father, was, as we have written, a man of strong and violent temper. He punished his children at one time for trifles; at another he permitted more serious offences to pass unreproved, being ever guided by the feeling of the moment, which was excited by various circumstances unconnected with the particular fault before him. Mrs. Banim rarely punished: yet a reproving word from her lips was more dreaded by her children than blows and violent threats from the hand and tongue of their father. Indeed so great a feeling of terror did his mother's anger excite in the mind of John, that once, when he had watched her through a keyhole, flog his brother for some offence with a whip which he had frequently seen his father use for a like purpose, he became so much terrified at the unusual occurrence, that he ran to the barrack gate, and entreated the sentry to come and save his brother, whom his mother was about to murder.

These are but the traits of childhood, which friends treasure up in memory, to make a story for the winter fire-side; and yet they show the spirit of a future man, who, in years of well won, honorably worn reputation, look back to those days of childish griefs and joys, with swelling heart, because they were the days of home and love.

Mr. Buchanan's academy was not exactly suited to a boy of Banim's disposition. The master was a clever man, but

professed to teach all subjects, commencing with what he called "oratorical reading," and ending with the modern languages. He was an excellent instructor for a more advanced pupil, and of himself and his school, *The O'Hara Family* have given the following graphic account, in the first volume of the novel, *Father Connell.*

"Through the partition separating his bedchamber from the school-room the head of the seminary had bored a good many holes, nearly an inch in diameter, some straight forward, some slantingly, to enable himself to peer into every corner of the study, before entering it each morning; and this is to be kept in mind. At either end of the long apartment was a large square window, framed with stone, and, indeed, stone also in its principal divisions. Over head ran enormous beams of old oak, and in the spaces between them were monotonous flights, all in a row, and equally distant from each other, of monotonous angels, in stucco—the usual children's heads, with goose wings shooting from under their ears; and sometimes one or two of these angels became fallen angels, flapping down, on clipt wings, either upon the middle of the floor or else upon the boys' heads, as they sat to their desks, and confusing them and their books, and slates with fragments of stucco and mortar, rotten laths, and rusty nails. In a kind of recess, on the side of the school-room opposite to the boys' double desks, was an old table, flanked by a form, at which, at certain hours of the day, sat some half dozen young girls, from six to ten years, who came up from the quaint old parlour below, under the care of the master's daughter, who therein superintended their education in inferior matters, to be occasionally delivered into his hands for more excelling instruction. The principal of this celebrated seminary wrote himself down in full, and in a precise round hand, James Charles Buchmahon; and his establishment as 'the English Academy:'—principal, we have called him—despotic monarch we should have called him; for he never had had more than one assistant, and the head of that one he broke before they had been many weeks together. And never were absolute monarchy, and deep searching scrutiny, more distinctly stamped and carved on any countenance, than upon that of James Charles Buchmahon, master of the English Academy. And that countenance was long and of a soiled sallow colour; and the puckering of his brows and eye-lids awful; and the unblinking steadiness of his blueish grey eyes insufferable; and the cold

blooded resoluteness of his marbly lips unrelaxable. At the time we speak of him, James Charles Buchmahon might have been between fifty and sixty, but he wore well. He was tall, with a good figure and remarkably well turned limbs, 'and he had the gift to know it,' for in order not to hide a point of the beauty of those limbs from the world, he always arrayed them in very tight fitting pantaloons, which reached down to his ankles. His coat and waistcoat were invariably black. A very small white muslin cravat, and a frill sticking out quite straight from his breast, occupied the space from his chin to his waist. And James Charles Buchmahon's hat was of cream colour beaver, high crowned, and broad brimmed: and he ever carried either a formidable walking stick of stout oak, or else a substitute for it, made of five or six peeled switches, cunningly twisted together, and at one end loaded with lead."*

From this establishment, after an attendance of five years, Banim was removed to a seminary kept by the Rev. Mr. Magrath, at that period considered the best Roman Catholic school in Ireland; he continued a pupil of Mr. Magrath's for about twelve months, and was then sent to the academy of a well known teacher, named Terence Doyle.

Although not a very idle boy, Banim loved to study in his own way, and at his own time; and his chiefest pleasure was to steal away from school, and lying under a hedge, or beneath the shelter of a haycock, to pore over some prized volume of "romance or fairy fable." Hans Andersen, in all his dreamy youth, never longed to hear the lore of fairy land more earnestly than did little John Banim, and his ready memory enabled him to retain the subject of each narrative of wonder. From admiration, however, the future novelist soon aspired to imitation, and, in his sixth year, having listened in silent delight to a fairy fiction of more than usual interest, he resolved to write a story, his own sole composition.

He was not sufficiently tall to write conveniently at a table, even when seated, and having placed the paper upon his bedroom floor, he lay down beside it and commenced the construction of his plot. During three months he devoted nearly all his hours of play to the completion of his task, and when at length he had concluded, the writing was so execrable that he alone could decipher it. In this dilemma he obtained the assistance of his brother Michael, and of a schoolfellow—they acted as aman-

* See "Father Connell," Vol. I. p. 252.

uenses, relieving each other, when weary of writing from John's dictation. When the tale was fully transcribed it was stitched in a blue cover, and John determined that it should be printed. But here the important question of expense arose to mind, and after long deliberation the youthful author thought of resorting to a subscription publication. Accordingly the manuscript was shown to several of his father's friends, and in the course of a week the subscribers amounted to thirty, at a payment of one shilling each. Disappointment was again the lot of our little genius; for in all Kilkenny he could not induce a printer to undertake the issuing of his story. This was a heavy blow to his hopes; but, honorable, even as a child, he no sooner found that he could not publish the tale than he waited upon his subscribers for the purpose of restoring to them their shillings. All received him kindly, and refused the money, telling him that they were quite satisfied with reading the manuscript.

His literary efforts did not end with his fairy story. We have seen a romance in two thick manuscript volumes, written in his tenth year; and have looked through several manuscript poems, particularly one extending to over a thousand lines, entitled *Hibernia*, written about the same period.

This early authorship is not unusual amongst those who have afterwards distinguished themselves in literature, as most students of literary history are aware. Cato and Hobbes, Bacon and Descartes, Boyle and Alfieri, Cowley and Pope, with a hundred others, were, in childhood as in manhood, philosophers, or poets, or painters. Like these last, Banim longed to be a poet, even in early days; and amid his stolen rambles in the summer fields felt all that joy in Nature, that Pantheism of poetry, which Byron so nobly expressed, when he makes the boy Tasso cry:—

> "———From my very birth
> My soul was drunk with love, which did pervade
> And mingle with whate'er I saw on earth;
> Of objects all inanimate I made
> Idols, and out of wild and lonely flowers
> And rocks whereby they grew, a paradise,
> Where I did lay me down within the shade
> Of waving trees, and dreamed uncounted hours,
> Though I was chid for wandering."

The poetic faculty, indeed, appears generally to have developed

itself in early life, and whilst Tasso, Ariosto, and Lope de Vega were, even in school days, poets, or romance writers, Boccaccio tells us, and the analogy of his case with that of Banim is striking—"Before seven years of age, when as yet I had met with no stories, was without a master, and hardly knew my letters, I had a natural talent for fiction, and produced some little tales."

But neither in the biography of Boccaccio, nor of any other man of genius, can we discover efforts so ardent and persevering, to secure self-improvement, as those exhibited, even in childhood, by Banim. Whilst in his ninth year he began a strange Birth-day observance. About a week before his Birth-day he commenced the arrangement and perusal of all the verses, and pieces in prose, composed during the preceding year; when all had been read, and duly criticised, he generally found that one set was puerile,—he himself being but a child,—another set was turgid—a third portion was dull,—a fourth lot was forced or unnatural, and the boy Banim was as fastidious in self-criticism as, in grave manhood, were Gibbon, Buffon, or Campbell. The evening of the Birth-day having arrived, the condemned manuscripts were gathered in a pile, to which a lighted match was applied, and, as the blaze mounted high, the little author danced, gleefully, around the holocaust.

He felt no regret in thus destroying his compositions. He was resolved that the productions of his intellect in the succeeding year should be superior to those of the past, and fancied that the pieces condemned to the flames would but disgrace the more finished efforts of the months to come.

Banim, from early youth, had all that adoration of Poetry which is the characteristic of genius; and his love for

> "—The pleasing cadence of a line,
> Struck by the concert of the sacred nine,"

was only equalled by his admiration of a Poet. A good example of his self estimate, and of this poetic feeling, was exhibited in his tenth year. The Private Theatre of Kilkenny was then open, and Banim was admitted to witness one of the performances. He was delighted with all he saw. Everything around was so unusual: the audience all in full dress, a brilliantly lighted house, the glittering costume of the actors,

the beauty of the scenery, all rendered the spot a fairy realm for the child-poet.*

He did not, however, attend so much for the purpose of seeing the play, as for that of observing his idol, Thomas Moore, who was one of the performers. He was then in the first glory of his success, and formed the theme of general conversation. On the occasion of Banim's visit to the theatre Moore recited his own *Monologue on National Music.* It was encored, and Banim was the loudest of those demanding the repetition. The beauty of the poetry struck the fancy of the child, and so profound was the impression created by it upon his memory, that he, the following morning, repeated the entire with almost perfect accuracy, and with the gestures, and inflections employed by Moore in its delivery. After having breakfasted he was observed to dress himself in his best clothes, and the family saw him leave the shop, and, with a roll of papers under his arm, walk towards the house in which Moore lodged: he was about to introduce himself to Moore as a brother poet, and the roll of papers was the manuscript verses by which he meant to prove his right to the "honorable name." Moore, remembering probably the trembling anxiety with which he had, in his fourteenth year, sent "the attempts of a youthful muse" to the editor of *The Anthologia Hibernica,* and the "honor and glory" which he enjoyed when he found himself, shortly afterwards, called "our esteemed correspondent T.M,"† received his odd little visitor kindly. He read a few of the verses, enquired as to his progress at school, advised him to be attentive and diligent, and closed the interview by asking, if there was anything he could do to oblige "his brother poet." To be called his "brother poet" was quite sufficient for Banim; but the offer of obliging him was too flattering to be slighted, so, after some consideration, he told the good-natured bard that there was nothing in the world he should like so much as a season ticket to the Private Theatre, where he could see Mr. Moore on the nights of performance. This request was at once granted, and, for the remainder of the theatrical season, little John Banim was happy as his heart could desire,—the same ticket which opened the theatre to him was, he considered,

*For a detailed account of the Kilkenny Private Theatricals, see IRISH QUARTERLY REVIEW, Vol. III. No. 9. pp. 89 to 100. "Art. Charles Kendal Bushe."

† See Moore's "Journal and Correspondence," Vol. I. p. 22; and see IRISH QUARTERLY REVIEW, Vol. II. No 6. p. 385.

a tribute to his poetic ability. And how the boy's soul would have swelled could he then have known that but twenty-two years later his own fame would be so fully acknowledged that this same great poet whom he was now so anxious to please, would, when in Kilkenny, call upon old Michael Banim, and, finding that he was from home, write, as a card, and leave for the old man, these words—"Mr. Thomas Moore called to pay his respects to the father of the author of The O'HaraFamily."*

Literary pursuits, however, were not the only ones by which Banim's attention was engaged: he frequently devoted his play hours to mechanical inventions. He formed a complicated machine which was to realize that dream of philosophy—perpetual motion. Having read *Rasselas*, he fancied that the philosopher of the happy valley must have been a very unskilful artificer. He, accordingly, of wicker-work and brown paper, formed three pairs of wings, and fastened one wing to each wrist of his brother, and of his younger sister; having mounted with his two companions upon a manure heap, he fastened the remaining pair of wings to his own wrists, and all three, jumping from their eminence, found themselves, in place of soaring to the clouds, deposited in the "verdant mud" which formed their lake. His next attempt was the construction of sky rockets, intended to mount to a most extraordinary height, but which only blazed along the ground, burning the pyrotechnist, and almost destroying the house.

This last exploit developed a very remarkable trait in his character. His father was so much offended by the danger to which the family, and the building, had been exposed, that in one of his out-breaks of passion he ordered the child to leave the house, and seek his fortune in the world. John took his cap, and went forth:— it was a winter night, dark and cold, with a roaring wind abroad. Away the boy went; Mrs. Banim was silent, knowing that remonstrance could conduce to no end, save that of increasing her husband's anger, and even he seemed anxious, but was too passionate to recall the offender. A quarter of an hour elapsed, and a sturdy knock was heard at the door; it was opened, and John re-appeared. He approached his father, and taking off his cap said, "As I am to go, I'll thank you, sir, for the six-pence I lent you the other day;"—

* See Moore's "Journal and Correspondence," Vol. VI. p. 136.

this was the last remaining six-pence of the thirty shillings subscribed for the unprinted fairy tale, and with it he was as willing, though a child, to commence his way in the world, with as bold a heart, as self reliant a confidence, as when, in later years he went forth with his young wife to venture upon the troubled tide of literature. The six-pence was repaid him, but, in addition, a second was given, and he was ordered to bed, his father having forgotten all his anger in the surprise of the moment.

These were Banim's characteristics, and these are the histories of his life, in early school days.

When he had continued for about twelve months at Mr. Doyle's academy, he was removed, in his thirteenth year, to that seminary which can show upon its register the names of many men illustrious in literature—Kilkenny College. Of this College Banim has left us the following account, in his tale, *The Fetches*.—

"Kilkenny College was the most famous as well as the most ancient preparatory school of Ireland. It commenced as an appendage to the magnificent cathedral of Saint Canice, for the preservation of which, after Cromwell's spoliation, we are indebted to the classic Pococke, and was then situated, according to Stanihurst, 'in the weste of the church-yard' of that edifice, and had for its founder Pierce or Peter Butler, Earl of Ormond and Ossory. And 'out of this schoole,' continues Stanihurst, 'have sprouted such proper impes, through the painful diligence, and laboursome industrie of that famous lettered man, Mr. Peter White, as generally the whole weale publicke of Ireland, and especially the southern parts of that island, are greatly thereby furthered.' We have a sure clue to the date of its first erection, by the same writer mentioning that fact as 'of late;' and also by his proceeding to inform us that (under Mr. Peter White, the original master) 'it was my happie hap (God and my parents be thanked) to have been one of his crue; and I take it to stande with my dutie, sith I may not stretch mine abilitie in requiting his good turns, yet to manifest my good will in remembering his pains. And certes I will acknowledge myself so much bound, and beholden to him and his, as for his sake, I reverance the meanest stone cemented in the walls of that famous schoole.' In 1684, the first Duke of Ormond, then Lord Lieutenant of Ireland, granted a new charter to Kilkenny college, vesting in himself and his heirs male the appointment of masters, and the office and dignity of patrons and governors

of the establishment. The statutes passed by him on this occasion, no less than twenty-five in number, are each of formidable length, regulating every thing, from the master's morals, religion, and salary, to the punishment to be inflicted upon an urchin for 'cutting or defacing the desks or forms, walls or windows of the school.' Under this new arrangement the college also changed its situation from 'the weste of the churchyard' of Saint Canice, to a large building at the other extremity of the town of Kilkenny, which together with a fine park, and the rectories and tithes of several parishes, near and distant, the patron granted, in trust, for its uses and advantage. But during the short and inauspicious Irish reign of James II., that soon after ensued, this endowment was frustrated. The first master, appointed by the Duke of Ormond, fled on account of his politics; and 'King James,' says Harris, 'by a charter dated the 21st of February, 1689, upon the ruins of this school, erected and endowed a royal college; consisting of a rector; eight professors, and two scholars in the name of more; to be called the Royal College of St. Canice, Kilkenny, of the foundation of King James:' and then followed 'Articles conclus du consentement unanime des regents des ecoles de Kilkenny, sous le protection de l'illustrissime et reverendissime l'evesque d'Ossory,' as curious, at least, as the state laws previously passed for the same establishment under hand and seal of the representative of majesty. William triumphed however, James sought the retirement of Saint Germains, Ireland once more rested beneath the reflux of protestantism, and Kilkenny College, in common with every other public institution, reassumed its protestant charter and arrangement,and to this day continues to enjoy both, with, we should perhaps mention, only one difference from the whole economy proposed by the first Duke of Ormond; and that is, remarkably enough, a lapse of the right of presentation to the school by the Ormond family, in consequence of the attainder of the Duke in 1715,and the vesture of said right in the provost and fellows of Trinity, Dublin. It has been seen that Stanihurst was a 'proper imp' of the old establishment; Harris, by his own acknowledgment too, was also educated in Kilkenny college, under the first master nominated by the Duke of Ormond; as also were, subsequently, Thomas Prior, George Berkeley, Bishop of Cloyne,and other celebrated characters, among whom, if our recollection does not fail us, we believe we may rank Swift. In fact, it was after its return

to the hands of protestant masters and governors that this seminary rose to the height of its fame, and that young Irish noblemen and gentlemen crowded its classes for the most approved preparation for university honours. It might be called the then Eton of the sister country. We find it necessary to observe that the building to which the title 'College of Kilkenny' now applies, is not the same endowed by the Duke of Ormond. The Irish tourist is at present shewn, from an opposite bank of the Nore, a large, square, modern house, three stories high, dashed or plaistered, and flaunting with gay and ample windows, and this, he is informed, is the college. Turning its back, in suitable abstraction, upon the hum and bustle of the small though populous city, it faces towards the green country, an extensive lawn spreading before it, and the placid river running hard-by, and is, altogether, appropriately and beautifully situated. But the original edifice, that existed at the time of our story, was pushed farther back, faced into the street of the town, and was a gray, reverend pile of irregular and rather straggling design, or, we should perhaps say, of no design at all; having, partly, a monastic physiognomy, and partly that of a dwelling-house, and bearing, to its present gay successor, about the same likeness that the levee skirts of Ann's time bear to the smart swallow-tail of the last summer but one. We surmise that, at a more remote period, it belonged to the old and beautiful Augustinian Abbey of St. John, of which the main building was not more than three hundred yards distant, and which was richly endowed 'for the salvation of his soul and those of his predecessors and successors' (as Ledwich abstracts its charter) by William Marshall the elder, Earl of Pembroke, in 1220. The entrance to the school-room was immediately from the street, through huge oak folding doors, arching at top to suit the arched stone door-way, and gained by two grand flights of steps at each side, that formed a spacious platform before the entrance, and allowed under them a passage by which visitors approached the college. To the left was another gateway where carriages had egress. The whole front of the building was of cut stone, with gothic windows composed of numerous small panes of glass, separately leaded, and each of diamond form; giving the appearance of a side or back rather than of a front, on account of its grotesque gables, chimneys, and spouts, the last of which jetted into the street, to the no small annoyance in rainy weather of the neighbours and the passengers; while

from the platform before the school-room entrance, the lads of the college contrived, in all weathers, further annoyances of every description. But in the past, as well as the present time, the lawn of the college was devoted to the exercise and sports of the students, and had, for its left-hand boundary, 'the dark walk,' a shrubbery so called to this day, though its appearance, and indeed identity, are changed, and for its right the crystal Nore, of which the opposite banks were flanked by a wall some forty feet high ; and over this wall,—its foundations on a level with the top—towered in uncouth grandeur, amid throngs of luxuriant trees, the old family castle of the all but regal Ormonds. Close by the dark walk, at the left of the lawn, there ran, too, as there at present runs, an artificial, but deep, rapid and sufficiently broad stream, conjectured to have been an aqueduct formed by the old monks of St. John's Abbey, that while it discharged its immediate agency of setting in motion the water wheels of more than one grist-mill on its course, served, at the same time, to cut off the college grounds from the adjacent gardens of the poorer class of people who inhabited the near outlet."*

This was a school which one might feel proud to enter. Of its most famous pupils, the present master of the College, the Reverend John Browne, LL.D. names the following:

"The famous men who have received their education in this foundation have been most numerous. On this subject I may quote another passage from Stanihurst, who, in his historical work, *De Rebus in Hibernia Gestis Libri Quatuor*, p. 25, again gratefully blazons the achievements of his old master :—

'Hic ludum aperuit, nostra ætate, Petrus Whitus, cuius in totam Rempublicam summa constant merita. Ex illius enim schola, tamquam ex equoTroico, homines litteratissimi in reipublicæ lucem prodierunt. Quos ego hic Whiteos, quos Quemefordos, quos Walsheos, quos Wadingos, quos Dormeros, quos Shethos, quos Garueos, quos Butleros, quos Archeros, quos Strongos, quos Lumbardos, excellentes ingenio & doctrina viros, commemorare potuissem, qui primis temporibus ætatis in eius disciplinam se tradiderunt.' Amongst this array of names, comprising those of most of the old gentry of the Pale, many hold a distinguished place in the annals of literature and of the state,—Lombard, the historian and Roman Catholic Archbishop of Armagh ; Wadding, the annalist ; Dormer, the poet (author of 'the Decay of Ross,' in ballad-royal) ; Walsh, the translator of Cambrensis, and White, whose refutation of that author's statements regarding Ireland has lately been brought to light by the labours of the Rev. M. Kelly ; Gerald Comerford, an eminent lawyer, Queen Elizabeth's Attorney for Connaught, and second Baron of the Irish

* See "Tales By The O'Hara Family," Vol. II. p. 135.

Exchequer; Elias Shee, 'a gentleman of passing good wit, a pleasing conceited companion, full of mirth without gall, who wrote in English divers Sonnets;' Butler, who translated Corderius' 'Book of Phrases' in 1562; Archer the Jesuit, for whose actions the 'Pacata Hibernia' may be referred to; and, not the least notable amongst these distinguished individuals, Stanihurst himself, who besides his celebrity as a man of letters, may also be mentioned as the uncle of Archbishop Ussher. Amongst the names entered on the Register of the School, as re-founded by the first Duke of Ormonde, I find those of Baldwin, afterwards Provost, and a benefactor of Trinity College, Dublin; Bishop Berkeley, with regard to whom it is difficult to decide whether his fame as a man of letters, or as a Christian Philanthropist, stands highest; his friend and correspondent, the patriot Pryor; Armaker, Archdeacon of Armagh in 1690, and author of several works; Congreve the dramatist; and Harris the historian. As we draw nearer our own day, many a famous name also stands out proudly from the throng of less distinguished *alumni* of Kilkenny College—Harry Flood *the* orator of his day; Yelverton Lord Avonmore, and Sir Hercules Langrishe, also luminaries of the Irish House of Commons; Michael Cox, Archbishop of Cashel; Hugh Carlton, Solicitor General; and, though last not least, John Banim. Scions of the noble Houses of Desart, Inchiquin, Colooney, De Vesci, Waterford, Llandaff, Mornington, Lismore, Charlemont, Hawarden, Ashbrook, Rosse, Howth, Thomond, Clifden, Boyle, (ancestor to the Duke of Devonshire), Bandon, Shannon, &c., appear amongst the names entered on the Register; in which also will be found frequent mention of the families of note and mark in this and the surrounding counties, viz, Cavanagh, Staples, Cuffe, Cosby, Penefather, Vandeleur, Wemys, Flood, Langrishe, Bryan, le Hunte, Butler, Cramer-Coghill, Wheeler, Izod, Barker, Greene, Warburton, St. George, &c. &c. Whilst amongst the names by some chance omitted therefrom, may be enumerated the far-famed Dean Swift, and Farquhar the dramatist, who are known to have received their education at Kilkenny College. Sir Richard Steele, the friend and compeer of Addison, whose father was private secretary to the Duke of Ormonde, it is likely also spent his early years at this school. The names now enumerated fully justify the remark of Banim, that it was after the restoration of its original charter 'this seminary rose to the height of its fame, and that young Irish noblemen and gentlemen crowded its classes for the most approved preparation for University honours. It might be called the then Eton of the sister country.' Dr Ledwich, in his History of Kilkenny, says of the institution—'This school has had a succession of eminent masters, has produced men of great learning, and is justly esteemed the first school for the education of youth in this kingdom.' The names of the masters since the Duke of Ormonde's foundation are as follow:—

1670. Edward Jones, D.D.	1776. Richard Pack, A.M.
1680. Henry Ryder, D.D.	1781. John Ellison, D.D.
1684. Edward Hinton, D.D.	1793. Antony Pack, D.D.
1702. William Andrews, D.D.	1810. Andrew O'Callaghan, A.M.
1714. Edward Lewis, A.M.	1820. William Baillie, LL.D
1743. Thomas Hewetson, LL.D.	1842. John Browne, LL.D.

Amongst these, Dr. Edward Jones was afterwards made Bishop of Cloyne, and Dr. Ryder Bishop of Killaloe; but alas! 'tempora mutantur'—the masters are no longer made Bishops; our great men and our little men are not satisfied with education in Ireland, and the lamentable consequence, obvious to all, is an unlearned and mentally dwindled race, instead of the giants of those days when Ireland educated her own sons. The earlier portion of the Register, which I have caused to be transcribed for the library of the Society, commences with October, 1684, and ends with July 27th, 1688; after this occurs a *lacuna* of nearly three years, an omission which is explained by the heading perfixed to the next entries, viz.:—'The names of such as were admitted into His Grace the Duke of Ormond's Schoole at Kilkenny *since the Warre ended in Ireland* in the year 1691.' The first entry of this portion is dated January 20th, 1691-2, and the series is complete up to August 6th, 1716, from which date no entry occurs until the year 1743, from whence the Register is continued in regular series up to the present day. There are also some notices of the pupils who left the school for College, or to enter into various professions, &c., which are very curious; these entries commence with the date 1684, and end with the year 1704; since which period, with the exception of a few entries commencing 1743, this portion of the Register has been discontinued. We learn, on the authority of Ledwich, that there formerly existed, in Primate Marsh's Library, Dublin, a book of poems, intitled 'Sacri Lusus,' by the young gentlemen of the College of Kilkenny; which, I am sorry to say, is not now to be found there. I may also mention in conclusion, that I have heard from Mr. B. Scott, sen., of this city, an interesting anecdote connecting Dean Swift's name with Kilkenny College, which is as follows:—When the old College was pulled down, Dr. Ellison was master of the school. The oak timber-work was purchased by his (Mr. Scott's) uncle, the father of the late Mr. Martin Scott, of Kilkenny, who therewith erected his tenement in High-street. After the work was finished it came to Dr. Ellison's knowledge that the name of 'Jonathan Swift' existed carved in school-boy fashion, on some part of the woodwork. Anxious to obtain this treasure, Dr. Ellison obtained permission from Mr. Scott to pull down that part of the work in which the particular board had been used; but after considerable progress in the work of demolition, *Mrs.* Scott declared that she could no longer suffer the business of the establishment to be interrupted, and put a stop to the search. I understand that the timber work of the house erected at that period remains, the frontage only having been rebuilt within a few years back. If such prove to be the case, I will use every exertion towards the recovery of this interesting relic."*

At the period of Banim's entrance the Reverend Andrew O'Callaghan was master; he was a man of learning and

* See a most interesting paper entitled "Kilkenny College." By the Rev. John Browne, LL.D, in the "Transactions of the Kilkenny Archæological Society," for the year 1851. Vol. I. Part ii. p. 221.

ability, but our young poet disapproved of one portion of his system of instruction—the complaint was, that Mr. O'Callaghan preferred a strict, grammatical translation in prose, to the most flowing and spirited metrical version his pupil could produce.

Whilst at the Kilkenny College, Banim evinced a very remarkable talent for drawing and painting, and having selected the profession of an artist as that to which he wished to devote his life, he was, in the year 1813, removed from his last school, the College of Kilkenny, and sent to Dublin, where he became a pupil in the drawing academy of the Royal Dublin Society. He continued a pupil in this academy during the two succeeding years, and was a regular and industrious student; he had the honor to receive the highest prize, in the gift of the committee, for his drawings placed in the first exhibition held after his year of entrance.

During his two years of pupilage he lodged and boarded in Phibsborough, in the house of a Mr. Oliver Wheeler, an old friend of his father. Of Wheeler's habits, appearance, his household, and mode of life, Banim gave the following sketch, in *The Nowlans*, when describing the poor abode of *John* and *Letty Nowlan* :—

"The old man, who had some petty situation of thirty or forty pounds a year in some public office, was upwards of seventy- five years, tall, shrivelled, stooped in the neck, ill-set on his limbs, and with a peculiar drag of one leg, which, from certain reasons, and taken with other things, rendered him very disagreeable to John. He was obliged to be up every morning at seven, in order to reach his office, or place of occupation, by eight; and he might be heard creeping about the lower part of the house, making the parlour and kitchen fires, to save his daughter and niece so much trouble; cooking his own solitary breakfast, his fat wife lying in bed; and then cautiously shutting the hall door after him, as, rubbing his hands, he tried to bustle off in a brisk, youthful pace, to his important day's work. His voice could never be heard in the house: if ever a man of a house lived under petticoat law, it was he. The coarse, masculine, guttural tones of his spouse often rose indeed to some pitch; but his, never. In other respects, too, he showed utter pusillanimity of spirit. He would never appear to John, in answer to a summons for arranging any misunderstanding (and several there soon arose)

between him or poor Letty, and the daughter or niece: his wife always represented him; and he would run to hide behind a door, or into the yard, if he heard John's foot on the stairs, during these domestic commotions; nay, even when all was at peace, his habitual poverty of nerve urged him to shun a single rencontre with his lodger; or, perhaps, he still dreaded to be called to account for any thing his wife or daughter had said; and whenever he was caught by John in the passage, or the yard, his fidgets, as he lisped and mumbled, and continually tapped his chest with one hand, ever complaining of his asthma, called up sentiments of irresistible disgust. His sole attempts at manhood we have indicated, in describing the way he used to step out to his day's labour every morning. But rarer proofs of this still farcical and contemptible humour came under John's eye. As he and his ancient fellow-labourer before described (a contrast to him, by the way, being square-built, erect in his body, cross in his temper, and loud and independent in his tones,) used to fumble about in the yard of an evening, chopping or sawing sticks and rotten boards, and mending the little sheds with them, or for ever watering the roots of the sad laburnum tree, there was a would-be briskness in his every motion, (he knew his wife was always looking at him out of the parlour window,) an energy in the way he grasped his saw, adze, or hammer, or his watering pot, and jerked them from hand to hand, or upon a bench, when he had done with them; all of which plainly bespoke his ambition not to pass 'for so very old a man, neither;' certainly to give the idea that he was a miracle for his age. Every Sunday he appeared caparisoned for church in a complete shining suit of black, taken out of a press, and in a hat, also shining, extracted from one of his wife's early bandboxes; the clothes and the hat some ten years in his, or rather in her, possession, and thus displayed once a week during that period, yet both looking as if sent home the Saturday night before; and, indeed, considering that they had encountered scarce three months of careful wear altogether, namely, the wear of about two hours every seventh day for ten years, it was not after all so surprising they should look so new. Sometimes his wife allowed him to invite to a Sunday dinner five or six old men like himself, all clad in shining black too; and when John saw them come crawling towards the house, or, joined with their

host, crawling and stalking about the yard, he felt an odd sensation of disgust, such as he thought might be aroused by the sight of so many old shining black beetles; the insects that, of all that crept, were his antipathy and loathing. His wife has been called fat; she was so, to excess; so much so, that she waddled under her own fardel—herself; but she was strong and sturdy too; and her waddle did not lessen the length and stamp of her stride, when, upon occasions that required a show of authority, she came out to scold, or, as her niece called it, to 'ballyrag,' in the kitchen, at her hand-maidens, or in the hall, at her poor lodgers up stairs. Then the little house shook from top to bottom under her heavy and indignant step, as well as with the echoes of her coarse man's voice, half smothered amid the fat of her throat, and the sputterings of her great pursy lips. And poor Letty also shook, from top to toe, on these occasions, and flew for shelter to John's arms. When not called upon thus to enforce law in any refractory branch of her garrison, Mrs Grimes spent the day in a vast indolent arm chair, reading pathetic novels of the last age, or casting up her accounts, to re-assure herself, over and over again, of the pounds, shillings, and pence, laid up during the last month or week, and how half a farthing might be split for six months to come. Every day by twelve o'clock, she was dressed 'like any lady,' (still according to her niece,) to receive her cronies, or strike with importance the tax-collectors or landlord's agent, none of whom had ever to call a second time; and that was her constant boast; but even there, shut up in her parlour, the old female despot was fully as much dreaded as if her voice and her stride sounded every moment through the house,—or as much as if she had lain there screwed down in her coffin, and that, at the least turn of a hand, herself or her ghost might come out to roar for a strict reckoning. Her daughter and niece (the latter an orphan) supplied the place of a servant maid, in lieu of the eating, drinking, and sleeping, such as it was, that came to their lot. They were of a size, and that size very little; of an age, and that more than thirty; but from their stunted growth, hard, liny shape, and non-descript expression of features, might pass for ten years younger, or ten years older, as the spectator fancied. They gave no idea of flesh and blood. They never looked as if they were warm, or soft to the touch. One would as soon think of flirting with them, as with the old wooden effigies to be

found in the niches of old cathedrals. They imparted no notion, much less sensation of sex. But they were as active as bees, and as strong as little horses; and as despotic and cruel, if they dared, and whenever they dared, as the old tyrant herself. From the moment they arose in the morning, thump, thump, thump, went their little heels, through the passage, to the kitchen, up stairs and down stairs, or into the parlour, to see after the fires the old man had lighted; to make up the beds; to prepare breakfast; to put every thing to rights; to sweep, to brush, to shake carpets, to clean shoes, knives, and forks; to rub, scrub, polish, and beautify, for ever and ever; the daughter always leading the niece; and the whole of this gone through in a sturdy, important, vain-glorious manner; accompanied by slapping of doors, every two minutes, and (ever since Letty had refused to go down to the parlour to join an evening party,) by loud, rude talking, and boisterous laughing, just to show that they did not care a farthing for the kind of conceited poor lodgers they had got in the house. The housekeeping of the establishment was peculiarly loathsome to John. The baker had never sent in a loaf, bun, roll, biscuit, or muffin, since the day, now some fifteen years ago, when Mrs. Grimes came to reside in the neighbourhood: and even the home-made bread was of the coarsest possible quality, and often used a fortnight after it had been baked. Each day, the dairyman left one halfpenny worth of milk at the door. They made their own precious mould candles, or burnt such nefarious oil in the kitchen lamp, or, upon a gala night, in the passage, as poisoned and fumigated the whole house. The morning tea leaves were preserved and boiled for evening. No eggs, no fresh butter ever appeared. The fires, after having been once made up in the morning, were slaked with a compost of coal-dust and yellow clay, which, shaped into balls, also formed stuffing between the bars. Upon a Saturday evening, the old man sneaked out to drive hard bargains for some of the odds and ends left in the butcher's stall after the day's sale; and these, conveyed home by stealth, furnished, by means of salting and hanging up in a cool place, savoury dinners for the week. Upon a washing day, starch was made out of potatoes, to save a farthing. No charity was in the house, nor in a heart in the house. In the faces of all professed beggars the street door was slammed without a word, but with a scowl calculated to wither up the wretched suitor; and with respect to such as strove to hide the

profession under barrel-organs, flutes, flageolets, hurdy-gurdies, or the big-drum and pandean pipes, their tune was indeed, listened to, but never requited. Yet the family was a pious family. Mr. and Mrs. Grimes sallied out to church every Sunday, and sat at the parlour window every Sunday evening, (while their daughter and niece went, in turn, to have a rest, as they said,) a huge old Bible open before them, and visible to all passers by, that the neighbours might remark—'there's a fine old couple.' John, however, thought it odd, that after all this, his cold mutton or his cold beef used to come up to him, out of the safe, (a pretty 'safe,' truly) rather diminished since he had last the pleasure of seeing it; and one Sunday evening, after listening for half an hour to the daughter's shrill voice, reading the Bible before supper, when, on particular business, he somewhat suddenly entered the parlour, he was still more surprized to find the good family seated round the ham, (a rare temptation, no doubt, in their system of housekeeping) which that day had formed part of his dinner. But nothing irked him half so much as the ostentatious triumph over starvation, the provoking assumption of comfort, nay, elegance, as it were, and the audacious independence which resulted from the whole economy. He felt it, as before hinted, to be the most irritating specimen of poverty. Old Grimes's glossy Sunday coat, perpetually the same, was worse than the clouted gaberdine of a roving beggar. Every burnished thing around him seemed to shine with a beggarly polish. The whole house and its inhabitants had an air of looking better than they really were, or ought to be; and the meanness, the sturdiness, the avarice, the hardheartedness, that produced this polish and this air, he considered as loathsome as the noise, the thumping about, the loud talking, and the endless fagging of the two little skinny Helots was brazen and vexatious."*

We have given these, and former, extracts from Banim's works, as they prove how strongly the every day events of his early life became impressed upon his mind; and how he, like Sir Walter, Galt, and Moir, drew, from the world around him, the materials of which the scenes and characters of his novels were composed. Thus situated the poor boy worked out his lonely time. But even here the depressing effects of his abode could not repress his ardent industry, or overcome his love of literature; and whilst residing at Oliver Wheeler's he first "saw himself in print." The piece was a

* See "Tales By The O'Hara Family," Second Series, Vol. II, p. 64,

metrical criticism on the Exhibition of Irish Artists, and was entitled *A Dialogue In The Exhibition Room.*

We shall now introduce some extracts from his letters written during his residence in Dublin. In each of these, as in all those which we shall insert, addressed by him to his friends at home, there is a love of all that surrounded the hearth which recalls those beautiful letters written by Moore to the dear friends in Aungier-street, and which show a heart that not fame, not other, and brighter, hopes than those of youth could soil or taint.

Banim's first letter is addressed to his mother, and describes his mode of life.—

"*Dublin, December* 23, 1813.

My dearest Mother,

Your anxious love could not wish me better than I am, or with better prospects before me. I have the countenance of all, and the friendship of many of the first artists and amateurs in my profession. I meet with warm encouragement, and hope of success from every one.

If with the assistance of heaven, and I know your prayers will aid me, I can persevere in my studies, and endeavour to trace the footsteps of eminent painters, what have I to fear, or you to make you sorrowful or apprehensive?

I am as contented and happy, as any one in my position could be. I am grinding my colors every second day from seven in the morning, until night: every intermediate day is spent in the gallery and in drawing from the figure."

The two following letters are addressed to his father. In the first he writes of his lonely Christmas; in the second he tells of his every day occupations, and in the refusal of the "nice blue coat," as a present, because he could, himself, afford to buy one, we can trace the spirit which he evinced when requiring repayment of the sixpence which he had lent his father; and though not quite sixteen years old when this letter was written, it proves that then, as in later years, he was ever anxious to be the support, rather than the incumbrance, of his family.

"*Dublin, December* 25, 1813.

My dear Father,

I write to you on the festival of Christmas, the first from my birth, that I have spent from home.

There is nothing in the intercourse with strangers to re-

compense one for the absence from our kindred: but I must not murmur against what cannot be avoided.

The festival of Christmas reminds me that I am solitary. There is no equivalent for the peace and blessings I have hitherto enjoyed at our Christmas hearth."

"*Dublin, March* 23, 1814.

My dear Father,

It would be the dearest wish of my heart, could I have the inexpressible pleasure, of embracing you all at Easter. Solitary and retired as I live, it would indeed be a treat to my feelings: but necessity interferes to prevent this indulgence. Sunday excepted, I have scarcely a moment unemployed. In the morning early I attend my tuition: then either painting a portrait at home, or studying the antique in the gallery, employs me until six: my dinner is scarcely swallowed, when I am off again, either to the figure academy, or the anatomical lectures opened for the benefit of artists, by the Irish Institution. I am scarcely ever home again until ten, and then generally fall asleep soon. Notwithstanding my conviction of its imprudence, I am greatly tempted to yield to the overflowing impulses of my heart, and anticipate my Summer visit by an Easter one.

You state your intention, my dear father, of sending me a nice blue coat. Providence has thrown a few guineas in my way lately, and I have the prospect of a few more. Let me decline you offer therefore. I will positively treat myself to a new coat and other etceteras, the fruits of my own earning."

Two years of the dreary life here recorded passed by, and at length Banim returned to Kilkenny, intending to commence life as an artist, and teacher of drawing; and although he had received but two years tuition in his art, he was fortunate in securing very satisfactory and encouraging employment.

He was just eighteen years of age, about the middle height, and of good figure. His face was oval, and though not handsome, his high broad forehead, and his dark-hued eyes, teaming with life and spirit, saved him from the designation, ugly. And now the common fate was his:—Tennyson sings of youth—

"In the spring a young man's fancy lights turns to thoughts of love"—

and our poet-painter was no exception to the rule. He was

the admirer of every pretty girl in Kilkenny, and between rhyming, painting, flirting, and book-lending, his entire time was fully occupied.

One evening, whilst he was sitting at tea with his mother, the good woman abruptly said to him,—

"John."

"Well, mother ?" was the response.

"Whom do you love, John ?" she continued.

"Well mother," he replied, "upon my word there are so many of them that I am afraid I can't particularise;—but let me see"—and, counting his fingers, he added, "there is Mary—, and there's Anne—,and there's Kate, and there's Jane."—"John, John," cried his mother, smiling at the confession, "you know well that is not the answer I taught you to give to the question—long ago you knew it and would say, 'I love God above all things and my neighbour as myself for the love of God,' I see, John, your boyish days are over." Truly, the boyish days were over, the catechism was forgotten, self was forgotten, and the dream of youth was upon him.

At one of the schools which he attended, as the teacher of drawing, was a young girl, named Anne D—, a boarder in the establishment, and a pupil of Banim's. She was a fair, bright-eyed girl, in the full, fresh beauty of seventeen,—artless, innocent, and pure-minded. The young teacher,—the poet, and the painter,—forgot the grave moral of the history of the tutor Abelard and the pupil Eloisa, and, day by day, a deep, whole heart passion grew within his breast, and each attendance at the school served but to strengthen his affection. He dared not tell her of his love, but love, when the youth is only in his nineteenth year, and the maiden in her eighteenth, cannot long lie hidden, and soon each read, in the eyes of each, that tale of passion which was to end but in the death of one—in the long and lingering agony of the other.

When Banim found that this girl loved him, he seemed another being. He concealed his affection from all: he told his brother that his mornings were devoted to sketching the landscapes around Kilkenny, but these early morning hours were the trysting times when he and Anne D—— roamed along the quiet banks of the Nore, or strolled through the fields, accompanied by an under governess, who aided the young lovers, and devised means by which the absence of her charge might escape detection.

For both it was a happy dream,—for them—

" Love took up the glass of Time, and turn'd it in his glowing hands;
Every moment, lightly shaken, ran itself in golden sands.
Love took up the harp of Life, and smote on all the chords with might;
Smote the chord of Self, that, trembling, pass'd in music out of sight."

Mornings of love,—days of love musing,—nights of dreaming love, rarely continue unnoticed by those who are intimate with the lover, and Banim's brother having discovered this secret of his morning's walks, was made his confident in the confession—" I love Anne D— as boy never loved girl before."

That his love was true and deep cannot be doubted, and as the expression of feeling, rather than as a proof of his poetic ability, we insert the following pieces, written at this period—

" My Anna is tall, and my Anna is fair,
Dark brown is her eye, and jet black is her hair,—
She is straight as the poplar that springs in the dale,
Her eye beam is such as the glories that sail
Over the bosom of midsummer heaven
When angels disport in the sunbeam of even.
The bright rose of summer indeed does not streak
With full ruddy blush the warm snow of her cheek,—
For love thought it pity to scatter or spread
With ill judging craft all his treasure of red,
But gave it to glow in a spot so divine
That the essence of all in a kiss might be mine."

The following is a scrap from a long effusion—

" It is the blushing time of roses,
I feel the fragrance it discloses;
Love laughs before my beaming eye
Through grove and garden, earth and sky;
In every path, o'er dale, o'er hill,
I meet that babe of beauty still."

"TO ANNA.

Yes, love hath lent his smile of pleasure
To gild the morning of my days,
Oh! every sod my footsteps measure
Through fortune's doubtful, devious maze—
Every path of toil they press
That beam shall bless—

That holy beam shall brighten up
The foulest draught of sorrow's cup—
That holy beam shall light the shade
Of life when all her fancies fade,
And on the way, to me so dark,
Leading to fame's magnetic altar,
Oh! even there that angel spark
Shall brightly guide my ardent gaze;
My heart shall sparkle to a blaze,
And never falter.
I thank thee, high and holy pow'r,
That thus upon my natal hour
Thy blessed bounty hath bestowed
More than to mortal life is owed;
If thy dispensing hand had given
All other joy this side of heaven;
The monarch's crown, the hero's crest,
All honors, riches, gems, the best
And Anna's love away the while
I'd change them all for Anna's smile."

Banim's nature was impetuous, and, having assured himself of his mistress' affection he resolved to wait upon her father and demand her hand. A year had passed since he first loved her, and he would not be satisfied until he called her his wife. He was not twenty years of age, his profession was not more than sufficient to support him, his friends were reduced in circumstances, owing to the inability of some persons to repay certain sums of money lent by old Michael Banim, but all prudential considerations were despised by the lover, and so he went forth, accompanied by a friend, to seek the consent of Anne's father.

Anne D——— was the illegitimate daughter of a gentleman residing in a neighbouring county. He was a surly, rude-tempered old man, and replied to Banim's request of his daughter's hand with sneers and scoffing. The young lover retorted the insulting expressions used; both parties were violent, and recriminations were ended by the order of the old man that Banim should at once leave the house. He returned to Kilkenny, dispirited and heart sick; he had never permitted himself to contemplate a rejection of his suite, and when he, the same evening, obtained an interview with Anne

D———, it was one of tears and sorrow—it was the last time he ever spoke to her, save clandestinely.

The doors of the school in which Anne resided were closed against him; all communication was barred between them, and by stratagem alone could he tell her how deeply and how truly she was still beloved. All means of addressing her were tried, and those who watched Anne, and her fellow-pupils, as, on Sunday evenings they left the Church, might have observed a figure clothed as a countrywoman, in long grey cloak and full deep hood, stealing close to Anne's side—this was Banim disguised, and it was on these occasions that he contrived to press his mistress's hand, whilst he placed within it a poem, or a letter, telling her to love and hope. In this manner, and by transmitting notes in his sister's school basket, he was enabled to communicate with her.

Anne's father induced a female relative of the girl to call upon her at the school, and by a pretended sympathy, endeavour to discover if her love for Banim were real and deep. The plan succeeded; Anne told the whole story of her heart,—it was considered that absence alone could cure her girlish folly, and her father arranged that she should be secretly removed from school, and placed in the house of one of her mother's family. She was removed, but Banim discovered the day and hour at which she was to leave, and the route by which she was to travel. He found that the chaise, bearing Anne and her female protector, was to pass by his father's door—he took his place by the treshhold, and as the carriage rolled by, he rushed, bare-headed, before the vehicle; to avoid the danger of overturning him, the horse's were suddenly and violently checked, Anne leaned from the window, pale, and terrified, and sobbing bitterly, the lovers' eyes met but for a moment, the carriage moved quickly onward, and John Banim never more, in life, saw Anne D———.

He re-entered the house, and uttered no cry, but sat in stony sorrow: a small parcel was placed in his hand, it was addressed to him, the handwriting was that of Anne, he tore it eagerly open,—it contained his own miniature which he had painted for her, and which for months she had worn, concealed in her bosom; the parcel also contained his letters and verses. He examined the miniature closely, it bore no secret line; he pored over the papers in hope that they might conceal some covert intimation that this return of all his offerings was not Anne's own free act,—but all was as he himself had written, not one line or

word to tell him she was faithful—he paused a moment looking upon the miniature, and then dashing it to the ground, crushed it to atoms beneath his feet,—tore the letters and verses into fragments, and as he scattered them away,—as the memory of all his hopes and joys came back upon him when he thought of their vows and promises, he cried, bitterly and fiercely, "Curse her—curse her—to abandon me and break my heart!"—and burst into angry tears.

No commiseration could soothe him; no attention could win a smile, or word of pleasure from his lips. His constant complaint was, that Anne had abandoned him, although no earthly power could induce him to forget or abandon her. Now she was false, false as only a heartless woman can be, and in his despair he wrote such lines as the following:—

"Thou that in youthful folly's bow'r
Would'st lavish thus an idle hour;
Thou that would'st fondly hope to win
The love a woman's heart within—
Go, heart of hope, to pleasure's sleep,
But let it it be, nor long nor deep.
Go, taste the bloom of woman's lip,
But only taste, and lightly sip—
Go, if it suit thy sparkling soul,
On passion's frantic wave to roll;
Partake of ev'ry boasted feeling
Of all that's worth a lover's stealing;
But give thy lightest leisure hour
Alone, to love's delusive power;
Pledge not thy faith a hair beyond
The sigh of sense or passion fond.—
Let not one vital chord of thine
Round faithless woman's heart entwine,—
No youthful hope shall perish then,
As fickle woman roams amain;
No fainting pulse, no brimming eye
Shall note the wanton trifler fly;
No riven heart-string there shall break,
When woman spurns her bondage weak;
And not a withering pang shall wait
To blast thy hopes, and gloom thy fate."

But Anne was not faithless, and to the last hour of his life

Banim regretted his doubt of her affection,—he learned but too late that

"———Love is love for evermore."

The house to which Anne D—— had been removed was situated about twenty-five miles from Kilkenny, and the affection that still lingered in Banim's heart induced him to open a new correspondence with her. He sent the letters by trusty messengers; he knew that they had been deposited in places with which Anne was acquainted; he wrote again and again, in all the fervor of his earlier love, but to none of his letters was there a reply. Anne was not faithless; she received one only letter, and that the first, all gloomy and half upbraiding; she was detected in the act of reading it, and the succeeding letters were intercepted.

Anne made no complaint. She thought of the past-by days of joy,—of the mornings when, out by the sunny river she had heard the tale of love, as only youth in its spring can breathe it, whilst around the path of the poet-painter and his fair bright idol—

"The summer murmur'd with her leafy lips,"

and pining for the loss of all her heart held dear, her cheek grew pale, her step lost all its bounding lightness, her eyes shone with that terrible brilliancy which shows the wasting of life, and then it was plain that the fiend, Consumption, had seized her. She never struggled against the disease; she was removed from the school in Kilkenny in the month of September, and whilst Banim was condemning her as a heartless mistress, she was expiring, with his love the sole treasure of her life,—and in the November following her removal from school, a period of less than two months, Anne D—— was dead.

Banim was informed of the melancholy catastrophe, the day succeeding that of her decease, and then came the full tide of sorrow upon his heart, for in hearing she was dead, he heard also that her love for him had been the cause of all her griefs, and in her agony his name had been the last upon her lips.

When he discovered that she was no more, he merely said to his brother, who was appalled by the pain displayed in his features, "Anne D—— is dead," and, retiring to his bed-room, remained in solitude and silence.

He rose early the following morning—it was cold November weather, the rain was falling, and a gloom was in the sky and upon the earth. Banim left his home, wishing once more to

look upon the victim who had been so dear in life, but who now, in death, was dearer than ever. He was too poor to hire a chaise; he borrowed a horse, but he could not endure the slow, steady pace of the animal, and when about a mile from Kilkenny sent it back by a country child, and continued his way on foot.

He never knew by what route, or how, he traversed the twenty-five dreary miles which lay between him and the corpse of his beloved, but night had closed around the dripping weary man as he reached the farm-house where the body of Anne D——lay. None of her relatives were present as he entered, and but few friends sat around. He stood beside the dead one's head, and the long black lashes of the closed eyes resting upon the pallid cheek, the shrunken features and the worn look of her whom he had once thought so beautiful, from whom he had so recently parted in all the glory of her youth, terrified him, and he gazed upon her, but shed no tear. His face of agony attracted the attention of those persons who had gathered by the coffin, and as he stood beside its head, one of Anne's half-sisters recognised him, called him the murderer of her sister, and demanded that he should be thrust from the room.

At first Banim felt indignant at this cruel conduct, but suddenly he thought that if Anne had never loved him she might be then living happily; had she never met him she might be joyous and in health, but now she was a wreck of hope, of peace, of life, and, scarcely daring to look upon her, he tottered from the room. He had eaten nothing since the preceding day, he felt no hunger, but, entering an out-house, sunk upon the wet straw of a car-shed, and there, in a stupor of grief, continued until he heard the funeral guests assembling.

He rose, re-entered the house, and being permitted to stand beside the coffin, saw the face of his Anne for the last time, as the coffin-lid hid it for ever. He followed the body to the church-yard, stood by as the earth was piled up, and when all had departed, cast himself upon the fresh green mound that marked the grave of his first love. He never could recollect where the night succeeding this day of woe was passed, but the following morning his brother met him about ten miles from home. Leaning upon the arm extended to him, he trailed his limbs along until he reached his father's house; with his brother's help he ascended to his room, and though from the time when they had met upon the road no word had been spoken by either, yet when entering his

apartment he appeared to recognise it; the feeling of consciousness was but momentary, and he sunk upon his bed, powerless and senseless, prostrated in mind and body.

During the twelve months succeeding this day Banim merely existed. The whole system seemed shattered. His head ached so violently, that in his paroxysms of pain, his body rocked with an involuntary motion so violent, that as his head rested upon his brother's breast, it required all the latter's strength to curb the violent swaying of the sufferer. "It seemed," he said, "as if the brain were surging through the skull from rear to front, and from front to rear, alternately." He lost all anxiety for his profession or for literature, no occupation could interest him, he could rarely be induced to leave the house, and when he did go abroad, he quickly became wearied; he seldom spoke—and thus, his first love laid the seeds of that frightful suffering, which, during the greater portion of his existence, rendered him one of the most miserable of men. The three nights of suffering and exposure to which, at Anne D——'s decease, he was subjected, broke down the stamina of life, and left him, at twenty years of age, a victim to spinal disease, which, but a few years later, reduced him to a crippled body, whilst gifted with a mind active as ever genius possessed,—his fate indeed was harder than that of Tantalus.

The first symptom of returning health evinced by the sufferer was the composition of some verses. They show the weary spirit that would free itself from all recollections of the past, and would

"Pluck from the memory a rooted sorrow;
Raze out the written troubles of the brain."

Sorrow, however, at nineteen, cannot be very deeply seated, and he must be melo-dramatic indeed, who fancies that in plucking it from his bosom his heart may form its root; and thus, as time rolled on, Banim found that the world had its joys still, even after all his woes, and so, for him, once more arose the bright blue days—

"Full of the sun, loud with a thousand larks."

Then it was, that as the clouds passed away, the darkened spirit cast off its veil of grief, and he wrote such verses as these detached fragments:—

"I saw her, God of goodness great!
I saw her in her winding sheet—
And I saw her mingle then

With her mother earth again ,—
I saw her—and I could not save,—
Sink into her early grave.

It cannot last. The fever of affliction
But feeds on thought. And all the balm
Designed by preaching patience for the sufferer's pang
Changes to poison on his parched lip.

Avoid me, Memory—we are friends no more —
It is an awful hour, the midnight moon
Looks from her land of loneliness upon me,
Yet in the silent night I fear no foe,
I fear no stalking spectre as I fear thee, Memory."

We hear close the first part of this biography of John Banim. We have told the story of his life to his twenty-first year. It shows him to have been swayed by all the passions and weakness that dictate the actions of other men, but it shows too the energy which marked his later years. A boy, he left his home for Dublin; two years in the metropolis had not corrupted him: like Southey, he was too pure a worshipper of beauty and of goodness to be vicious, even if faith and early training had not spread their shields above him; and so, a boy, he returned to his father' sroof.

In his life at home he may have shown that unsteadiness, that want of fixity of purpose, which has so frequently marked the early years of men whose genius is less bright than that of Banim; and when,in the succeeding parts of his biography, we shall prove what Banim really was; how unspoiled by society, he continued to the end; how willing he ever was to serve, even at the risk of loss to himself, a young adventurer in the world of literature; how nobly he hoped for himself that, by honest work and thought, he might make his name known in the literary history of the nation; how boldly he ever *dared* to be an Irishman; how, to the end, as a husband, he was a lover; how, as a father, he was tender as Scott, buoyant and thoughtful as Southey, anxious as Moore—when we shall have placed these truths before the reader he will know John Banim as he really was, and if some defect of character shall strike the reader's mind, it will but show that the novelist was like other men, and whose bad qualities must be pardoned for the sake of their good deeds:—because, as

Thomas Brown writes of the body, we may write of the mind :—"Affection should not be too sharp-eyed, and love is not to be made by magnifying glasses. If things were seen as they truly are, the beauty of bodies would be much abridged. And, therefore, the wise contriver hath drawn the pictures and outsides of things softly and amiably unto the natural edge of our eyes, not leaving them able to discover those uncomely asperities, which make oyster-shells in good faces, and hedgehogs even in Venus's moles."*

ART. III.—THE HISTORICAL SOCIETY OF TRINITY COLLEGE, DUBLIN.

FIRST ERA.

In tracing the history of a Society the origin of which dates back so far as 1747, and the records of whose proceedings are of the most meagre description, it would not be surprising that many interesting particulars should be omitted—many names worthy of mention left unrecorded.

We have, however, endeavoured to fill up, from every possible source, the details that may be wanting, and have sought to impart interest to the subject, by bringing before the reader as great a number as possible of the distinguished men who have, from time to time, adorned the Society.

We do not purpose to enter into particulars concerning the rise and history of Debating Societies. Wherever a number of young and ardent minds are associated, confident in their wisdom and powers—with the boundless realms of knowledge, all but unexplored, lying before them—ere yet the pilot Experience has grasped the helm—there will ever be exhibited an anxiety to impart to others the information they conceive is possessed by themselves, and a wish to show to the world that

* "Christian Morals." Sect. IX.

young though they be in years, they are not so in knowledge. And, accordingly, in almost all the Universities, and in many of the Public Schools, we find such societies existing in one form or another. In both the English Universities they have long flourished.

To go back further; in 1698, we find the celebrated Minister, Sir Robert Walpole, then a student of King's College, Cambridge, a member of one. So, also, in Scotland, societies of this kind were early formed. In 1740 was established, in Edinburgh, a Society which numbered, among its members, Dr. Robertson, Home, the author of *Douglas*, and several others, who afterwards attained to celebrity. In 1754, The Select Society was founded, by Allan Ramsay, the poet, and some of his friends; and in 1764 The Speculative Society arose. We shall have occasion to write hereafter of the Speculative, but at present, without dwelling further on the various societies in England and Scotland, we will come at once to our own Historical Society.

This Society, which dates back so far as 1770, and of which the present Historical Society is the immediate offspring, was not the first of the kind or name in College. In 1747, there existed a Society, formed by Burke, for the cultivation of Composition, History, and Oratory, on the plan that was subsequently adopted by The Historical Society. From some interesting letters, given by Prior, in his biography of Goldsmith, it would appear that not only were many of the studies and occupations of the members in common, but even their letters were the joint productions of several of the number. Our readers, we are sure, will forgive the introduction of one of these letters, as giving a better insight into this little Society than anything we could write upon the subject:—

"May 28th, 1747.

"*Scene* I.—Burke, Dennis.—The Club Room—Dennis goes away about some business. Burke *solus*.

"As the Committee appointed for the trial of Dennis has just now broke up without doing anything, for want of members sufficient, I have time enough on my hands to write what you desire—an account of the proceedings of our Society since your departure; in which you have been a perfect prophet, for Mohun was formally expelled last lustrum by the censor, Mr. Dennis. After an examination of his conduct from the first foundation of the Society, it was found exceeding bad, without one virtue to redeem it, for which he suffered the above sentence. He was tried some time before, (Burke pres.) for his bad behaviour, but behaved still worse at trial, which brought fresh punishments on him, and at length expulsion.

"This is not the only revolution in our Club. Mr. Buck's conduct much altered for the worse, we seldom see him, for which he has not been spared. Dennis, Hamilton, and your humble—ha! ha! attend constantly. Cardegrif,* as we expected, middling. You all this while are uneasy to know the cause of Dennis' accusation: it is no less than an attempt to overturn the Society by an insolent behaviour to the President and Society. I am the accuser; and when you know that you will tremble for him. I must congratulate you, likewise, on the Censor's minor thanks, which you received, with a declaration that, had you entered earlier into the Society, you had been entitled to the grand thanks. The Censor gave himself the grand thanks and the same to me. We had, during your absence, the following debates very well handled.

"On the Stadtholder—Burke, an oration: Lenity to the rebels,† a debate—Dennis for, Burke against:—Prince of Orange to harangue his troops,—Dennis: The Sailors in a ship turning Pirates—Dennis for, Burke and Hamilton against. Catiline to the Allobroges—Dennis: General Huske for engaging at Falkirk—Burke for, Hawley and Dennis against; Brutus the First to the Romans—Burke.—Hamilton is now president and a very good one."

And again, in a continuation by another hand,—

"Burke is now writing the proceedings of the assembly, and just saying he'll pass over part of the debates because he is tired. You see he is semper eadem: as lazy as you imagined, though I must do him the justice to say he designed writing last night: what prevented it heretofore was our expectation of your first challenge, and likewise Ned (Burke) thought it preposterous to be threshing his brains for you when he is writing for the public;‡ pray laugh heartily now, lest you should split when you see the subject he has chosen, and the manner he has treated it; but I will not anticipate your pleasure by acquainting you any more."

The Hamilton mentioned in the above letter is, most probably, the late distinguished mathematician and divine, Hugh Hamilton, Bishop of Ossory, who was contemporary with Burke. He obtained a fellowship in his 22nd year, and died in 1805. Goldsmith may likewise be reckoned among the members of this Society; and though we cannot find that he was a very active member of a body that required attention and labor, yet we may be sure that the opportunities for display, which such an Institution afforded, were not without weight

* A name given to one of the party, but to whom does not appear.

† Alluding most probably to the lately suppressed Rebellion in Scotland.

‡ Does this allude to the "Essay on the Sublime and Beautiful?" He had, we know, commenced it before he was 19 years of Age, and had kept it by him for several years, not having published it till 1756.

with one in whom vanity formed the baser vein in his otherwise excellent nature.

How long this early Historical Society lasted cannot now be ascertained, but it is probable that on Burke's leaving College, (where he took his A.B. degree in 1751,) the Society declined. Certain it is, that, in 1753, another Society was formed, a volume of whose journals was in the possession of The Historical Society, when it was dissolved in 1815; but unfortunately it has been lost, as has also been the first volume of the proceedings of the Society of 1770, in the interval that elapsed between that dissolution and the establishment of the present Society. This Society of 1753 appears at first to have been established merely for the cultivation of historical knowledge, but after it had been formed for somewhat more than a year, a monthly debate was added to the original plan. Among the members of this Society were Yelverton, afterwards Lord Avonmore, and Scott, afterwards Earl of Clonmel.

Yelverton might well be the founder of a Debating Society; his eloquence was magnificent. One speech, delivered in 1782, in favor of the Roman Catholic Claims, is thus characterized by Grattan, when speaking of the Penal Code:—"It," the Penal Code, "was detailed by the late Lord Avonmore—I heard him —his speech was the whole of the subject, and a concatinated and inspired argument, not to be resisted: it was the march of an elephant, it was a wave of the Atlantic, a column of water 3000 miles deep. He began with the Catholic at his birth, he followed him to his grave; he showed that, in every period, he was harassed by the law—the law stood at his cradle, it stood at his bridal bed, and it stood at his coffin." The following extract, from the proceedings of the Society, at its meeting, June 11th, 1757, seems to refer to the Club formed by Burke, some ten or twelve years before, and renders it probable that the latter continued its meetings up to this time, at least. "A Committee sat to take into consideration a scheme for incorporating with the old Historical Club. Resolved, that it is impossible for the Club, under their present circumstances, to incorporate with the above Club. Stopford, Chairman."

The volume of journals, from which this is taken, brings down the proceedings of the Club to Saturday, October 29th, 1757, on which day the Club adjourned to November 1st, of the same year. How much longer this Club continued to meet we have no means of ascertaining, or whether The His-

torical Society of 1770 owed its origin in any way to it. The fact of this volume of its proceedings, with one or two from the library of these older Societies being in the library of the Society of 1770, would seem to point out that it did.

Dublin, at the time when our paper properly commences, in 1770, was, as when has it not been, agitated and disturbed by political excitement; and in the efforts of Lucas and his associates were exhibited the evidences of that spirit which, in '82, hailed with delight the bright dawn of freedom, and fondly dreamed of ages of glory and independence. Alas! that that dream should have been, like the Indian summer in America, the smiling prelude, but still the prelude, of a winter which has only now began to roll away; a winter in which the blighting influences of venality and hypocrisy, the biting frost of famine and plague, and the rude storms of unprincipled agitation have united in delaying the advent of that spring, which, we trust, even now dawns upon us, and gives promise of fruit, in the early blossom, of such an enterprise as that which so lately attracted to our capital crowds of strangers, whom all the beauties of our Isle could not entice before to visit a land, in which, to use the words of the poet—

"All save the spirit of man is divine!"

But we must not suffer ourselves to be led away into the debated ground of politics while we write these brief notices of The Historical Society.

Debating Clubs appear to have become popular about this time in Dublin, not only within the walls of College, but also in the city. The Constitutional Free Debating Society seems to have attained to very considerable celebrity. The members assembled in the Music Hall, now the Theatre, in Fishamble-Street. Their debates were generally very well attended: strangers were charged one shilling on entering the Hall, and when we consider the numbers who attended their meetings, amounting to as many as four or five hundred each night, we may suppose that the Society was not only a very popular, but a very successful one.

We lay before our readers one of their advertisements, as a curiosity in its way:—"The Constitutional Free Debating Society will meet to-morrow evening (May 7th, 1771,) at the Music Hall, Fishamble-street, in order to discuss the following subject, 'Whether a Member of Parliament Ought to Pursue his Own Sentiments or those of his Constituents in Parliament?,

Resolved, that the question, 'Whether the people of England were justifiable in putting King Charles to death?' is, at this time, improper to be discussed. Tickets of admission will be delivered next Monday and Tuesday (Price One British Shilling) at the Bar of the Phœnix Tavern, Werburgh-street, in order to prevent confusion at the door of the Hall. The Debates to begin at a quarter after 8 o'clock, and conclude by a quarter after 10." Not only were the public admitted to listen to these debates, but many of the speeches, delivered at the Society's meetings, appeared next day in the public prints of that party, the extreme liberal, to which most of the members belonged.

But to return to the Historical Society.—We are unfortunately deprived, by the loss, as we have mentioned above, of the first volume of the Society's proceedings, of all particulars relative to its foundation, and therefore cannot ascertain who were the founders, or whether the Society had any immediate connection with those formerly existing. It has been said that Grattan was among its earliest members, but we cannot find on what proofs. He certainly was in Dublin in the spring of 1770, but he was no longer in College, and at the end of March he went over to England to prosecute his law studies; he might, however, have aided in the establishment of the Society during his stay in Dublin, and there is no doubt he approved of it. In writing to his son, Henry, long afterwards, he states, alluding to his success in the Society, he having obtained a medal for composition, "I was happy to hear of your success, you are right to apply yourself to composition, such an application will make you read with observation." Lord Brougham, indeed, in his *Historical Sketches of the Statesman who Flourished in the Time of George III.*, writes, that not only Grattan, but Flood also, were members of the Historical Society; but we fear the Society cannot lay claim to either of these great names, certainly not to the latter, for Flood had been some time in Parliament when the Society was established. Curran, too, who was a Scholar in 1770, might be supposed to have assisted in the formation of the Society, but of this we have no evidence; indeed, we may presume, he did not, from his nervousness on his first appearance at the "Devils," in London; if he had been previously a member of The Historical Society, the debates in London need have caused him no trouble or uneasiness.

We can use the guidance of the journals of the Society

the Society from the year 1773; it had then attained to very successful position, the average attendance of members at that time amounting to upwards of eighty.

Mr. Ball thus opens his speech, from the chair, at the end of the summer session of 1774:—"Self applause should never be otherwise than cautiously, never otherwise than deservedly bestowed. It is an unfading wreath, the present of God himself, whose flowers the heart of man cannot ravish, and the breath of malice cannot blast. Let us not profane the holy gift! 'Tis profaned when offered by the hand of self-love! 'Tis profaned when offered at the shrine of vanity!" Having thus prepared his hearers, the account, which follows, of the Society's debates, is certainly not very flattering. "One gentleman," he says, "arises and opens the debate by modestly informing the Society that 'he has nothing to say, for that indeed he has not studied the question,' and sits down. Another arises to oppose the last and to that purpose, with equal modesty, assures us that 'the arguments of his learned and respectable friend, who opened the debate, carry with them such weight and authority, 'twould be presumption in him to attempt an answer, and—besides—indeed—being prevented—by necessary avocations—*he* has not studied the question either,' and he sits down. The President, after some minutes spent in the most awkward silence imaginable, is forced to arise and put the question to the vote. And that question, which was proposed for the improvement of our language, the exertion of our genius, the exercise of our reason, and the discovery of truth, that question which perhaps involves in it some of the most interesting points in philosophy, or deepest principles of Government, is left to be determined by the blind, fortuitous, and tumultuous aye or no of a majority, who scarce know their own mind, and who are not ashamed in pronouncing this aye or no, to express, in the most public and dogmatical manner, an opinion, which, from their silence a little before, they might fairly be presumed to be absolutely incapable of supporting by a single argument. As if their ignorance of a definition necessarily made the idea a simple one, or their incapacity of giving a proof necessarily constituted the proposition an axiom! * * * * Well may Oxford, well may Cambridge make their boast, and call us, as they do, 'their Silent Sister'! Shamefully indolent as we are, the reproaches of these might rouse us—seats of a confined

and monkish learning, shall they produce wits, and poets, and orators, while the only seminary for the education of gentlemen in Europe is barren of these fruits? Forbid it glory! Forbid it patriotism! Forbid it shame! That the soil which reared a Burke, the soil which produced an Hussey, should cease, on a sudden, that fertility from which fame had fondly promised herself to gather for futurity the richest present she ever made it."

Prophetic words! Already were bursting into light such a harvest of talent as cast all that had gone before into the shade, and fame indeed gathered a rich present, when she wreathed together, in a garland of glory, such names as Grattan, Curran, Plunket, Bushe, and Moore! Among those who had been members of the Society, up to this time, may be reckoned—William Burroughs, afterwards a Baronet, a member of Parliament, and a judge in India; Edward Mayne also raised to the Bench; Saurin, afterwards Bishop of Dromore; and likewise, we believe, the future Chief Justice, Lord Downes.

The journals of the Society, unfortunately, break off here for some years. When we are enabled, once more, to resume their guidance we find ourselves in the memorable year 1782. At no period could the Society boast of possessing so many distinguished members as at this time; and, if out of doors, a Grattan and a Flood contested the palm of victory; within, a Plunket, a Bushe, and a Magee, the Emmets, and Tone divided the applause of their hearers. In those days, when the gown was the only passport the students of College required to enter the gallery of the House of Commons, and when, fresh from hearing the splendid orations of Grattan, Flood, or Curran, they came themselves to discuss questions which they had heard debated in Parliament, is it to be wondered if they caught some bright inspiration, and that the germ of genius, first called into life by the dazzling eloquence of such men, and afterwards transferred to the more secluded, but not less genial, soil of The Historical Society, took root and sprang up until it could at length bear to be transplanted with safety to that wide and elevated position whence its seeds were first gathered? These were, indeed, the palmy days of The Historical Society, when it could number, among its members, Plunket—here, as ever, first in the field, every speech distinguished by that vigorous and logical eloquence which set him so high among the orators of the age: those who will not

yield to his mighty powers of reasoning, clear—strong—irresistible—are scathed and blasted by his withering sarcasm, or shrink back from those flashes of wit that relieve, like the sunbeam on the waters, the rushing torrent of his eloquence. It has been said of him, that some of the speeches he delivered in the Historical Society fully equalled, in power of reasoning, and keenness of sarcasm, anything he afterwards achieved. He was proposed a member early in 1782, by Thomas Addis Emmet: while he continued in the Society he exerted himself frequently, having received, successively, medals for Oratory and Composition, and having closed the winter session of 82' with a speech from the chair, an honor reserved for the best speakers in the Society: this speech has, unfortunately, not been preserved in the journals.

With his name the mind naturally associates that of Bushe. Yes, there is Charles Kendal Bushe, the future Chief Justice of Ireland. Hear how he speaks! With what exquisite taste does his sweet-voiced eloquence play round, and illumine, all it touches upon! With what a glowing imagination does he picture to his hearers those topics of history which it is his lot to discuss; and as he calls up the glorious eras of Grecian and Roman history, as illustrations and proofs of his arguments, the ages of Pericles and Demosthenes, of Tarquin, and Cicero, arise as realities before the mind's eye! Anecdote, repartee, sarcasm, and the most brilliant wit, alternately gleam forth. His playful, winning manner, healing the wounds his wit might have left, and disarming, with smiles, the adversary whom his reasoning and eloquence had vanquished.

Grattan, on one occasion, having heard him speak at the Society's debates, was so charmed, he declared that "he spoke with the lips of an angel." And Brougham, no mean judge it will be allowed, observes, of Bushe, that—

"His merit as a speaker, was of the highest description. His power of narration has not perhaps been equalled. If any one would see this in its greatest perfection he has only to read the inimitable speech on the Trimbleston cause—the narrative of Livy himself does not surpass that great effort. Perfect simplicity, but united with elegance; a lucid arrangement and unbroken connexion of all the facts; the constant introduction of the most picturesque expressions, but never as ornaments: these, the great qualities of narration, accomplish its great end and purpose, they place the story and the scene before the hearer or reader, as if he witnessed the reality. It is unnecessary to add that the temperate, and chaste,

and even subdued tone of the whole, is unvaried and unbroken, but such praise belongs to every part of this great speaker's oratory. Whether he declaims, or argues, moves the feelings or resorts to ridicule and sarcasm, deals in persuasion or invective, he never is for an instant extravagant. We have not the condensed and vigorous demonstration of Plunket; we have not those marvellous figures sparingly introduced, but, whenever used, of an application to the argument absolutely magical,* but we have an equal display of chastened abstinence, of absolute freedom from all the vices of the Irish school, with perhaps a more winning grace of diction; and all who have witnessed it agree in ascribing the greatest power to a manner that none could resist. The utmost that partial criticism could do to find a fault was to praise the suavity of the orator at the expense of his force. John Kemble described him as 'the greatest actor off the stage,' but he forgot that so great an actor must also have stood highest among his Thespian brethren had the scene been shifted." †

Such was Bushe in after life, and such he was in the Society. But we must not dwell longer on these two brightest names in the calendar of The Historical Society; others claim our attention, and among the first is Peter Burrowes, in whom kind-hearted good humor, and simplicity of manners, were united to talents of a very high order. The associate of Curran in the trials that followed the melancholy outbreak of 1798, he shared with him in the arduous, and even dangerous, task of defending the state prisoners; and with an eloquence, only surpassed by his more distinguished colleague, struggled manfully, if in vain, for their acquittal. Many stories are told of the utter abstraction of mind into which he was wont to fall; on one occasion, his brother barristers found him standing with an egg in his hand and his watch boiling on the fire! But it may be safely stated, that in the Society he equalled, if not surpassed, those distinguished contemporaries of his who afterwards outstripped him in the race for fame and distinction. His constant good humor, and ready fund of information, were of the greatest service; often giving him the advantage in the discussions in

* Lord Brougham quoted, in illustration of this, that beautiful figure Plunket made use of when speaking of the Statute of Limitations—"If," said he, "Time destroys the evidence of title, the laws have wisely and humanely made length of possession, a substitute for that which has been destroyed. He comes with the scythe in one hand to mow down the muniments of our rights; but in his other hand the law has placed an hour-glass by which he metes out incessantly those portions of duration which render needless the evidence that he has swept away."

† See Memoirs of Bushe and Plunket, with specimens of their eloquence, in IRISH QUARTERLY REVIEW, Vol. III. No. 9, p. 51. Vol. IV. No. 13, p. 142.

which he was engaged; and, when roused to his greatest efforts, he is said to have fully equalled any speaker in the Society. He was Auditor in 1779, and received the marked thanks of the Society for his conduct while in office; he also obtained the medal for Oratory, on the largest number of returns that had been received up to that period.

Another star, who illumined The Historical Society about this time, was Temple Emmet. His was a very different character from either of his brothers; sharing, indeed, with them the talents which they all possessed, but not perverted by those mistaken views that drove the one into exile, and brought the other to the scaffold. United to the most brilliant talents he possessed an extraordinary memory. It is related of him that, being in the chair on one occasion when History was about to be examined, it having been found that the books were mislaid, he went through the whole examination with extraordinary accuracy, much to the disappointment of some who had calculated on no examination under such circumstances. His oratory was of the most flowery and imaginative kind, in fact it was poetry stripped of its rhyme. Sensible of this, he is said to have laid before his friend, Peter Burrowes, a speech he was about to deliver from the Chair, that he might prune away some of this redundant imagery; but Burrowes found it impossible to do so without entirely altering it—it was all poetry. "One passage Mr. Burrowes used to repeat with great earnestness and animation—'America! America!—the land of arts and of arms, whence that Goddess Liberty was wooed and won, and twelve young eaglets, springing from her nest, bore freedom upwards on their soaring wings!' The whole was in this style, and Burrowes returned it, being unable to comply with the wishes of the speaker."*

His untimely death, lamented, as it was, by all who knew him, affected none more than his early associates. Mr. George Miller, in his speech from the chair of the Society, thus alludes to him—"Even now the well earned applause of this assembly is not confined within these walls. We have seen it give an early celebrity to the abilities of a man, who, in his short but honorable career, adorned the profession of an advocate with the brilliancy of genius, and the varied, erudition of the scholar."

* "Grattan's Life, By his Son."

His brother, Thomas Addis Emmet, was also a member of the Society, in which he highly distinguished himself. Originally intended for the medical profession, the death of his eldest brother changed the whole course of his life, and, by the advice of Sir James Mackintosh, he resolved on going to the Bar. In the Society, although his oratory was divested of that high coloring and overflowing imagination that characterized the harangues of his brother, it was distinguished for closer reasoning, and a deeper insight into those topics of modern politics that were almost universally the subjects of discussion in the Society at this time.

Another of the revolutionary leaders, also a member of the Historical Society, was Theobald Wolfe Tone. He was elected Auditor in 1785, and long afterwards retained a recollection of the honor thus bestowed. In his *Autobiography*, he writes, in referring to his College career, "As it was, however, I obtained a scholarship, three premiums, and three medals from the Historical Society, a most admirable institution, of which I had the honor to be Auditor, and also to close the session with a speech from the chair, the highest compliment which that Society is used to bestow." The good opinion thus entertained by Tone towards the Society was reciprocated. On quitting office, a Committee, of which Magee was a member, voted him their marked thanks for "his very faithful and attentive discharge of the duties of that office." And on being robbed of the three medals he had obtained from the Society, it was moved by Plunket, and seconded by Magee, that he should be presented "with three medals in the place of those which he has been robbed of, as well to testify our respect for so valuable a member, as because we would wish to perpetuate the proofs of our own discernment."

But not alone was the future bar of Ireland represented in the Society, some of the brightest ornaments of the Irish Church were also among its most distinguished members, of whom we may mention Magee, Graves, Miller, and Cæsar Otway. Magee's early success in the Historical Society gave fair promise of that eminence as a preacher to which he afterwards attained. Kirwan alone could be put in comparison with him in the pulpit, but neither clashed with the other. Kirwan's style was the most florid and imaginative,—he was the Grattan of the Church, dramatic to the highest degree. Whereas Magee's mind shone out in his oratory; and, calm,

clear, and convincing, he did not hurry his hearers away by a mighty flood of imagery and rhetoric, but bore them to the conclusion to which his efforts tended, of their own free will, as, convinced, they assented to what he urged. In the Society he was a worthy colleague of his friend and associate Plunket; and on leaving it, to enter on the Fellowship he so honorably obtained, he bore with him that regard for the Society that he ever afterwards bestowed upon it, and which would have saved it if he had obtained the Provostship, an event at one period expected

Beside his name we may place one that reflects equal honor on the Society and the University which it respectively adorned, we mean Richard Graves; and although the severe studies necessary to the attainment of the Fellowship he so soon gained, precluded him from aspiring to the highest honors of the Society, yet the impression left by his efforts there were such, that had he devoted himself to the Senate or the Bar, those who had a right to judge, declared he might have obtained the highest distinction.

But we have lingered already too long among these remarkable men who adorned the Society at this, its brightest and most flourishing period, and must pass over the names of Otway, and Miller, afterwards Professor of History, and a host of others, who fully justified, in their future course of life, the honors which the Society bestowed on them.

The excitement of the times when Ireland started into new life, and when all thought that, in the independence won by Grattan, had commenced an era of glory for their country, was not confined to the more mature minds and reasoning of parliamentary debators; the flame lit up at the same time the more excitable minds of youth, and is reflected in the topics discussed in the Society at this time, among which we find such questions as, "Whether the British ought at Present to have Recourse to Extremities in Procuring a Change of Men and Measures?"—"Whether an act Declaratory of the Rights of Ireland would be at Present for its Advantage?"—and, "Could Ireland Exist as a Free State, Independent of any other Nation?" in which question we find Thomas Addis Emmet taking part on the negative side: and again, "Whether Ireland, if Refused the Lately Demanded Constitutional Equality, would be Justifiable in Breaking off her Connection with Great Britain?" No one attempted to take the negative side on this question, which passed unani-

mously in the affirmative. Another question debated was—"Ought Property to be considered as a Necessary Qualification in a Member of Parliament?" in which Tone advocated the conservative view. But the members of the Society did not confine their exertions in modern politics only to speaking, but took up a question which had been for some time agitated, namely, "Whether Students could Vote at the Elections for the City of Dublin in Right of their Chambers in College?" and laid a case before Fitzgibbon, afterwards so well known as Earl of Clare, who returned an answer in the affirmative as to their right. A vote of thanks having been passed to Mr. Fitzgibbon for his particular attention to the Society, he returned the following reply :—

"Gentlemen of the Historical Society, I am to return you my warmest acknowledgments for your very flattering Resolution, with which I have just now been honored. Bound to the University by the strongest ties, I shall always be happy to be called upon in her service. My particular thanks are due to the gentlemen whom you have deputed, for the very handsome manner in which they have communicated your Resolution to me. I have the honor to be, &c. &c.

John Fitzgibbon."

The spirit of the Society may likewise be gathered from an order to the Librarian "to procure ten copies of Mr. Grattan's speech on the 16th of April, 1782, in which the Rights of Ireland are so ably asserted:" and again we find a resolution passed, "That a Poem signed Brutus, containing very unjust and scandalous abuse of the Volunteers of Ireland, and also the most unjust calumny of several respectable private characters, be burned by the hands of the Porter in the presence of the Society."

Laurence Parsons, Esq., afterwards Earl of Rosse, and at the time Member of Parliament for the University, was elected Auditor for the year 1783. He was not the only member of Parliament who was at the same time a member of the Society, for we find subsequently Mr. John Maxwell obtaining leave of absence during the sitting of Parliament.

A Committee was formed at this period to take into consider tion the expediency of admitting the Members of the Specu lative Society of Edinburgh into the Historical Society, on presenting proof of their belonging to the former.

The Speculative Society was founded in the year 1764, and has continued ever since, numbering among its members almost every name of celebrity that has adorned the annals of Scotland during that period. Strangers are not admitted to the debates, but members are allowed to continue, as such, long after they have entered on the more serious occupations of life, regular attendance not being required of them. Many of the most distinguished residents in Edinburgh have continued actively connected with the Society for upwards of ten years. The number of members is limited; formerly it was fixed at twenty-five, and it cannot at present exceed thirty, differing in this from the Historical Society, which admits an unlimited number.

To enumerate the distinguished men who have, from time to time, adorned the Speculative Society by their talents and eloquence would exceed our limits. We need only mention such names as Dugald Stewart, Walter Scott, Jeffrey, Francis Horner, Lord Kinnaird, Lord John Russel, Lord Henry Petty, now Marquess of Lansdowne, Sir James Mackintosh, John Wilson (Christopher North) and Benjamin Constant, to show what a distinguished company the Speculative Society could boast. Of Scott, who acted as Secretary for some years, Jeffrey writes—"His constant good temper softened the asperities of debate; while his multifarious lore, and the quaint humour which enlivened its display, made him more a favourite as a speaker than some whose powers of debate were far above his. I remember being struck, the first night I spent at the Speculative, with the singular appearance of the Secretary, who sat gravely at the bottom of the table, in a huge woollen night cap, and when the President took the chair, pleaded a bad toothache as his apology for coming into that worshipful assembly in such a portentous machine." He read that night an essay on ballads, which so much interested Jeffrey that he requested to be introduced to him. Having called on him next evening, he found him "in a small den on the sunk floor of his father's house, in George Square, surrounded with dingy books." Such was the commencement of an acquaintance which, by degrees, ripened into friendship between the two most distinguished literary men Scotland produced in their time.

Sir James Mackintosh, in recalling his youthful days, thus speaks of his contemporaries at the Speculative:—

"Upon the whole they were a combination of young men more

distinguished than are usually found in one University at the same time, and the subsequent fortune of some of them, almost as singular as their talents, is a curious specimen of the revolutionary times in which I have lived. When I was in Scotland in 1801, Constant was a Tribune in France, Charles Hope Lord Advocate, and Emmet, his former companion, a prisoner under his control!"

It may well be supposed that the debates of this Society were worthily carried on, when such men as these we have mentioned were brought together. Lord Cockburn, in his *Life and Correspondence of Jeffrey*, writes, "It has scarcely ever fallen to my lot to hear three better speeches than three I heard in that place, (the Speculative Society,) one on National Character, by Jeffrey; one on the Immortality of the Soul, by Horner; and one on the Power of Russia, by Brougham."

Jeffrey preserved to the last the liveliest interest in the proceedings of the Society. We will perhaps be pardoned if we quote part of an address delivered by him on the 70th anniversary of the Institution; applying, as his remarks do, not alone to the Speculative, but to all debating Societies: "For my own part," he said, "on looking back to that period when I had experience of this Society, I can hardly conceive anything in after life more to be envied than the recollection of that first burst of intellect when, free from scholastic restraint, and throwing off the thraldom of a somewhat servile docility, the mind first aspired to reason for itself, and half wondering at its own temerity, first ventured without a guide into the mazes of speculation, or tried its unaided flight into the regions of intellectual adventure, to revel uncontrolled through the bright and boundless realms of literature and science. True it was, that all those hopes were not realized, that those proud anticipations were often destined to be humbled; but still, could it be doubted that they were blessings while they lasted, and that they tended to multiply chances of their being one day realized." "I am afraid," he continued, "I am detaining you, but I could not avoid stating what had been so long familiar to my own mind respecting institutions of this kind, which I consider, under proper guidance, calculated to develope the seeds of generous emulation, and trace the outlines of that permanent and glorious triumph to be achieved in after life."

But to return to The Historical Society. The Committee that had been formed adopted a series of resolutions by which it

was determined that the members of The Speculative should be held in the light of privileged members of their Society, on presenting a certificate of membership.

Among the members of The Historical Society who availed themselves of this arrangement we may mention Thomas Addis Emmet. In the unfortunate year 1798, we find the following resolution passed in The Speculative Society:—

"The Secretary, Mr. Waugh, moved, and was seconded by Mr. Henry Brougham, that as Thomas Addis Emmet has acknowledged himself a member of the Executive Directory of the Irish Union, and has confessed himself privy to the carrying on a treasonable correspondence with France, his name should be erased from the List of The Speculative Society. Carried Unanimously."

On the occasion of Mrs. Siddons' visit to Dublin, the members of The Historical Society, to show their appreciation of her matchless talents, presented her with a splendid copy of the Oxford Edition of Shakespeare's Plays.

It was at this time (1784) that Bushe joined the Society. He was chosen to close the Summer Session of 1785 with an address from the Chair, and thus endeavours to combat the prejudice against prepared speeches:—

"I fear that many have been led astray by a prepossession against prepared speeches, and, from a principle of false shame, are unwilling to have it supposed that their very best exertions, and those in which they have most succeeded, could have given them any trouble in the preparation. Where this proceeds from indolence or pride, I should recommend it to him who is too indolent or too proud to prepare himself for an oratorical exhibition, to give up all hopes that he will ever arrive at excellence in public speaking.—For what can be more absurd than to suppose that in a public speech, the nature of which is to exhibit the subject in every light it can admit of, a man can treat a question admitting of a variety of considerations, (though perfectly unprepared for its discussion) in as able a manner as if the composition had been the result of mature thought and accurate preparation.

"The necessity of arrangement in oratory presents another obvious objection against what is called speaking extempore. For, except to very experienced speakers, the due disposition of the material of a speech is utterly inconsistent with want of preparation. .....It was by a contempt for such an affectation that the great and eloquent exertions of the ancients have immortalized names which otherwise we never had known, and preserved subjects which but for them would have slept in oblivion; and the man of genius, while he glows with the nervous strain of Demosthenes, almost rejoices that Æschines was a traitor and Phillip a tyrant. The friend of liberty

and mankind weeps at the fall of Athens, but the friend of literature finds comfort in the reflection that this Phœnix of eloquence rose from her ashes.....I shall now conclude with expressing my most anxious hopes, my most ardent wishes, that this Society, instituted by the youth of the Irish Nation for the advancement of useful and ornamental knowledge, and the encouragement of every noble passion of the human mind, may long, nay ever, continue to be the honor of its founders, the pride of its members, and a public benefit to their country."

Early in 1785 an event took place in Dublin, which, though common enough in the present day, was a great novelty at the time, we mean a balloon ascent. The gardens which were open at the time at Ranelagh were selected for this, the first, ascent in Ireland. The Duke of Rutland, then Lord Lieutenant, honored the adventurous æronaut with his presence: all was expectation when the hero of the day took his seat in the balloon, but alas! when the cords were cut, the balloon refused to rise. The weight of the æronaut was too much for it; disappointment appeared in every face, as it swayed about from side to side, looking all the more helpless from the previous expectations it had excited. But the assembled company were not doomed to disappointment: a student of the University, who had been an attentive observer of the whole proceeding, offered his services, and though it was the first time that he had ever seen a balloon, he made a most successful voyage. The Lord Lieutenant was so much pleased with his conduct that he knighted him on the spot, amidst the cheers of the company; and The Historical Society, of which the newly dubbed Knight, Sir Richard Maguire, was a member, unanimously voted him a medal to testify their appreciation of his intrepid conduct.

There must be an interruption again in the continuity of our notices of the Society, from the loss of another volume of the Journals. When we can once more avail ourselves of their guidance, although we miss the names of Plunket, Bushe, and the other distinguished men of whom the Society could boast a few years back, yet there is still presented an array little inferior. Among the members of the Society, at the time of which we write, were many who afterwards adorned the episcopal and judicial bench. Of the former we may mention Kyle, afterwards Provost, and Bishop of Cork; and sometime subsequently, the excellent Bishop Jebb: while of the latter were the present Chief Justice Lefroy, the Pennefathers, Jebb,

and Torrens. Lord Caulfield, the Hon. Mr. Bourke, and John Latouche, afterwards M.P. for Dublin, were likewise members.

In November, 1793, the Society appears in a new light, when it was voted—"That one hundred flannel waistcoats be granted by The Historical Society for the use of the British army in Flanders."

But, unfortunately, neither the distinction of her members, nor their patriotism, could preserve the Society long from a collision with the Board, when the guardian spirit which watched over the former was withdrawn. Hutchinson, at this time, was in England, suffering from ill health, from which he never recovered; and it may be conjectured that the Board did not look at all more favorably upon the Society from its having been fostered by the Provost, with whom they had carried on a petty war ever since he had attained that position. The members of the Board could not, moreover, be expected to entertain that sympathy for the Society which they might have felt if it had existed in their young days, and if they had received a part of their education through its means.

Be this as it may, the dispute was not long delayed, and Mr. Miller, the then Junior Dean, must be considered the chief mover in the matter. One evening during the long vacation, when most of the members of the College had dispersed, he perceived an hackney coach drive into the square, and three young men, whom he recognized, alighting from it, accompanied by, horribile dictu! two females. This was too much for the good Dean, and he at once laid the affair before the Board. The authorities being naturally much displeased, issued an order excluding the delinquents from the precincts of the College.

On the re-assembling of the students for the winter, and the resumption of the meetings of The Historical Society, the Dean, as an ex-officio member, happening to attend, perceived one of those who had been excluded in the room, whereupon he requested the auditor to have the offending party removed; he then appealed to the Chairman, but neither of them was willing to exert his influence or authority: applying then, personally, to the gentleman himself, he retired rather than involve the Society in a dispute with the authorities of the University, and thus it was thought the affair would have ended. But the dispute was not allowed to rest here: the Society, imagining its independence invaded, appointed a Committee to investi-

gate the affair. Mr. Miller, hereupon, conceiving this as tantamount to an inquiry into his conduct as Dean, and thus overthrowing all discipline and rule, laid the affair before the Board; and that body, not sorry for an excuse to bring the Society, hitherto more independent than they thought agreeable, under more direct control, published a code of rules which, among other commands, forbade any one to continue a member of the Society whose name was no longer on the College books, and ordered that the name of the proposer of the inquiry into the Dean's conduct should be erased from the list of the Society.

To this message a Committee of the Society returned an answer, explaining their conduct with regard to the inquiry; alleging that the Board was mistaken as to its object, which was merely to discover the reason of a member being forced to retire from their meetings, and hoping that the Board would not insist on the name of the proposer being erased from the books; the Committee also pointed out the ruinous effects of the order for the exclusion of the extern members, as destructive to the prosperity of the Society, and hoped that the Board would reconsider the question.

Upon receipt of this answer the Board declared that they were more than ever convinced of the impropriety of the extern members being still allowed to attend the meetings of the Society, and ended by resuming possession of the rooms where the Society had been accustomed to assemble; offering, however, the use of them to any of the students who might choose to meet subject to such restrictions as the Board should think proper to prescribe.

The Society, upon this, adjourned to the Assembly Rooms, in William-st. In this room an address was drawn up and sent to the Provost, in which, after detailing the particulars of the dispute from the first, they thus conclude:—

"Thus exiled from the University, the Historical Society cannot prevail upon themselves to bid a melancholy farewell to a place, where their institution has flourished four and twenty years, without offering the humble tribute of their gratitude for the kind protection with which you have so long honored them. Anxious for the continuance of your good opinion, they wish to impress upon your recollection, that they have always observed the highest respect for the heads of the College; that the concessions which they have offered proceed as far as is consistent with the spirit of gentlemen, and the

honor of a Society which aspired to your protection, and that they have never abused that freedom in their general constitution which is, perhaps, as necessary to the utility and character of such an institution, as it is incompatible with the control attempted to be exercised by the Board. To your judgement the Historical Society submit how far a separation from the College may effect the cause of polite literature, the existence of their Institution, and the interests of the University committed to your charge."

The Society does not appear to have received any answer to this address, which we may account for by the illness of the Provost, who died early in the following September. In him the Society lost one of her warmest supporters, who might have prevented the secession from College had he been at his place at the Board.

The death of this extraordinary man whose importunities for place are so well known, is thus noticed in a contemporary paper. "September 5th, in Dublin, aged 79, Right Hon. John Hely Hutchinson, principal Secretay of State for Ireland, one of the Most Honourable Privy Council of that Kingdom, M.P. for the city of Cork, Provost of Trinity College, Dublin, and L.L.D. He was also Major of the 4th Regiment of Horse, and Searcher, Packer, and Gauger of the Port of Strangford"! His appointment to the majority of the fourth regiment is thus related: "Lord Townsend, seeing him one day toddling up the drawing room of the Castle in some apparent impatience, exclaimed to Sir John Blaquiere, 'See, see, here comes the Prime Sergeant; is there anything vacant?' 'Nothing that I know of,' replied Sir John 'but a majority in a cavalry regiment.' 'Oh well, give it to him—give it to him at once, to stop his mouth.' The Provost actually departed a Major of Dragoons, and sold out next morning!"

The Society testified their recollection of him by offering, on the motion of Bushe, a gold medal for the best composition to be sent in in honor of his memory.

The Board now carried their hostility still further, and published a decree forbidding any student to attend any meeting outside the walls, held for the purpose of debate. The Society on this laid their case before the visitors, complaining of the decree forbidding any student from attending their meetings; and praying them to consider whether the severest collegiate censure should be inflicted on such students as attended a Society having their improvement for its only object. This contest excited considerable attention, and was sympathized in, not only by those members who were present, but

also by those who, though scattered abroad in England, and elsewhere, still retained that affectionate regard towards the Society which we might expect from those who had experienced its benefits, in first calling forth their talents, and affording such opportunities for their display.

The members of the Society then resident in London called a meeting at the Crown and Rolls, Chancery Lane, and drew up an address, thanking the Society for the manly stand that had been made, and offering their assistance in any way that might be deemed useful during the struggle. But not alone from those who had been formerly members did expressions of sympathy and encouragement come; for, on laying before the Speculative Society an account of their dispute with the Board, they received the following reply :—

"Gentlemen, the Speculative Society of Edinburgh conceive themselves highly indebted to you for your friendly communication of the 21st Jan., 1795, which they have ordered to be inserted on their Records. They do not fail to meet with equal warmth the obliging expressions of esteem and regard which that letter contains, nor to take the deepest concern in whatever regards the interests of an Institution, their amicable connections with which they so highly value.—As this connection is founded on the basis of their common literary pursuits, the Speculative Society conceives that it subsists independant of the private regulations by which each Institution is governed, and ought not, therefore, to be affected by such changes in those regulations as either may find it convenient or proper to adopt. As, therefore, the Speculative Society do not conceive that the original compact of 1783 is in any degree affected by the circumstances announced by the Historical Society, they beg leave to assure you that they consider it as subsisting in its original force, and will be happy to receive with all usual privileges such members of the Historical Society, bringing with them proper certificates, as may favor them with their attendance during their residence in the City of Edinburgh. In obedience to an unanimous resolution of the Society, dated the 17th current, we have the honor to subscribe ourselves, Gentlemen, your most humble Servants,

F. Jeffrey, President,
Walter Scott, Secretary."

But the sympathy of friends was not confined merely to civil speeches and resolutions. One of the former members, Mr. Evans, informed the Society that a considerable sum of money was at their disposal, if the circumstances of the Society demanded it. This offer was thankfully declined.

The College Board did not stand tamely by while the Society

thus proceeding independent of their support, as we may gather from the following resolutions:—

"Resolved, that the late public admonition of Lewis Kerr, Esq. our worthy auditor, by the Board, for discharging a trust reposed in him by the Society, appearing to us a continuance of the unmerited persecution exercised by the Heads of the College against this Society; we are determined to support him if he should deem an appeal to the visitors an expedient measure, and that we do hereby empower him to draw upon our Treasurer from time to time for such sums as may be requisite for that purpose. Resolved, That the warmest thanks of this Society be presented to Lewis Kerr, Esq., our worthy auditor, for his temperate, manly, and firm conduct when called before the Board for presenting the address of this Society to that Body."

While the dispute thus went on it was not confined to decrees on one side, or resolutions on the other; the Press was called in to the aid of the belligerent parties, and squibs of every kind appeared; now it was a farce, now a burlesque poem or satirical song; at one time the language used was Greek or Latin, at another the vernacular tongue was laid under contribution. From among these various efforts of wit, and satire we select one, quoted by Madden in his *Life of Emmet*, in which grave humor and bitter irony are conspicuous—

"At a full meeting of the Vintners, Publicans, and Courtezans, in the City of Dublin, held the 1st of May, 1794, Mrs. Margaret Leeson in the chair. Resolved, 1st. That the thanks of this meeting be presented to the Vice Provost and Senior Fellows of Trinity College, Dublin, for their public spirited suppression of the Historical Society.

"2ndly. That the said Society has considerably injured our respective trades, by employing the Gentlemen of the University (formerly their best customers) one whole evening in the week in literary pursuits, and wasting many other evenings in preparation for it.

3rdly. That the kind interference of the College must cause the custom of the College to return gradually to us, and the time of the young gentlemen to be more profitably employed, than in the pursuits of the said Institution.

"That the Provost and Senior Fellows be made free of our Society, and that the freedom of the same be presented to them in a quicksilver box.

"Mrs. Leeson having left the chair, and Mrs. Simpson being called thereto, Resolved—That the thanks of this meeting be given to Mrs. Leeson for her very proper conduct in the chair. Signed by order,

Catherine Grant, Secretary."

But we will not dwell any longer on this dispute. It is painful to find a body of men, distinguished by learning and talents, engaged in this petty and unnatural warfare with those who were placed under their control for guidance and instruction.

Bushe was chosen to deliver the customary speech on the first meeting of the society after their separation from the University. For this speech, we refer our readers to Mr. Phillips' *Specimens of Irish Eloquence:* for purity of style and vigor of thought it may be set beside any afterwards delivered by its distinguished author.*

The Society continued to meet for a considerable time after this separation; but, as the members dropped off, and as the Society established in the University as its successor increased in fame, the original Society declined gradually, until, in 1806, a meeting was called, at which it was resolved to hand over the Journals and other property to the Intern Society, whose career it will be our object now to follow.

In our next number we shall present the Second, and concluding Era, of The Historical Society of Trinity College, Dublin.

ART. IV.—FRENCH LIFE IN THE REGENCY.

1. *Le Chevalier D'Harmental.* Par Alexandre Dumas, 3 Tomes: Paris.
2. *La Régence.* Par Alexandre Dumas, 2 Tomes: Paris.

Though our business, in the present paper, is chiefly with the co rt o the Regent, Philip of Orleans, we commence a little higher up in the course of European history, that our readers may have a clearer perception of the relations in which the characters to be introduced stand towards each other. Philip of Austria having espoused, in 1496, Joanna of Spain,

* See the most brilliant portions of this address, inserted in IRISH QUARTERLY REVIEW, Vol. III. No. 9, to p.p. 58 to 61, Art. "Charles Kendal Bushe."

daughter and heiress of Ferdinand and Isabella, became, in her right, possessor of Castile and Aragon. At his death his son, Charles V., inherited the Netherlands and Spain, was crowned Emperor in 1520, and afterwards annexed Milan to his possessions. At his abdication he resigned the Empire to his brother Ferdinard I. of Austria, and gave Spain and the Low Countries to his son Philip II., who afterwards became the husband of Mary Tudor. To this latter monarch succeeded, in turn, his son,and grandson, by the respective titles of Philip III. and Philip IV.

Louis XIV. while still in full enjoyment of all the pleasures which youth, power, and riches are supposed to afford, took to wife Maria Theresa, daughter of this Fourth Philip of Spain, renouncing for himself and issue all claims to the succession of the monarchy of that Kingdom. Leopold, Emperor of Austria, successor in direct line to Ferdinard I., was united to Margaret, another daughter ; and the Elector of Bavaria, at a latter period,was married to the only daughter of this last named imperial couple. Charles II. succeeded his father, Philip IV., in 1663 ; he married Marie Louise, daughter of Philip of Orleans and Henrietta Maria of England, and died, in 1700, without issue,and thus ended the Austrian line of Spanish Sovereigns. The son of the Elector of Bavaria had been named his successor, as a selection of one of the children of Louis or Leopold would, in its probable results, create a power too formidable to the peace of Europe.The early death of this young prince,however, made a choice between two great evils necessary, and the agents of the French and German Courts, by their cabals and intrigues, sufficiently embittered the last hours of Charles. Count Harrach, the Austrian Envoy, was not esteemed at the Court, owing to his peculiarly unprepossessing manner and character, and the want of liberality on the part of his master ; whilst Harcourt, the French Plenipotentiary, was supplied with ample funds for any occasion that might arise, and was, moreover, a favorite, from his good nature, liberality, and agreeable demeanour. The French interest prevailing, Philip, Duke of Anjou, son of the Dauphin Louis, and, consequently, grandson of the Grande Monarque, was named successor, and ascended the throne on the demise of Charles II. The death of James the Second of England, occurring about this time, and Louis appearing to favor the rights of his son, who now assumed the title of James III. King of Great Britain,William

III. of England, naturally felt uncomfortable, and formed with the Dutch and theAustrian Emperor,what was called the Grand Alliance,—the object beingto set the Spanish crown on the German Prince's head, and thus keep the French power within reasonable compass. The death of William, the next year (1702) was a happy event for France, and for Philip, but Portugal joined her arms to those of their enemies, and the forces of England, Holland, Austria, and Portugal descended on the devoted Peninsula. The Marquis de Ruvigny (Lord Galway) who had figured at Aughrim, Sir James Stanhope, and the eccentric Earl of Peterborough (the latter in the capacity of Volunteer) directed the operations of the English allies, in this disastrous War of the Succession, from 1702 to 1714, during which, they were twice in possession of Madrid, but were obliged to evacuate it each time by the loyal conduct of the Castilians. The Marquis Villadarias, a brave old Spaniard, deserves honourable mention for his defence of Cadiz, and other noble deeds. The bold and skilful Duke of Berwick was Philip's sword and shield during the struggle. The battle of Almanza, won by him in 1707,was one of the most brilliant successes known in modern warfare; while nothing in ancient or modern time can be compared to the obstinacy and valor of the besieged Catalans in Barcelona, except perhaps the defence of Saragossa in the late war. A descendant of Stanhope's, engaged in the Peninsular campaign of 1808, was frequently asked, by the native Spaniards, if he were a descendant of the Good Don Diego Estanop of the old war, whose just and gallant conduct had preserved his fame among them during the whole intervening century.*

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* Through the entire of these wars, The 33rd,or "Duke of Wellington's Regiment," served. It was raised in the year 1702; the first Colonel of the Regiment was James Stanhope, and the first service upon which it was employed was in the war of the Spanish succession. It formed a part of a large force under the Duke of Ormonde, which was sent against Cadiz and Vido. It was one of the Regiments which formed part of the famous army under the Earls of Peterborough and Galway, in Spain, at the siege of Valentia in 1705. It was afterwards in the memorable battle of Almanza fought by the confederate army on the 14th April, 1707, under the chief command of the Marquis Das Minas. The Regiment suffered a loss of three Captains, five subalterns, and 94 men. In 1758 the Regiment, then called "Heroes," sailed as part of the expedition under the Duke of Marlborough against St. Malo; on the 1st of August it formed part of the unfortunate armament under General Blight, and was obliged to re-embark at St. Cas Bay in face of the enemy. The loss of the 33rd was considerable, including Edmond-

Peterborough's memory is indeed endeared to us by his dashing intrepidity, and unselfish zeal for the cause to which he was united, and the generous protection he showed on so many occasions to the vanquished. But we must record an unworthy act of his towards one of our countrymen, a Count Maboni, in the service of Philip. In a conference which he held with this gentleman, to whom he was related by intermarriage, he strove to induce him to come over to the Allies, but the loyal Irishman though rather too frank and cordial on the occasion, held stoutly to his duty.—Peterborough immediately afterwards conveyed to Mahoni's superior officer secret information of his alleged treachery to his party, and confirmed it by the information of pretended deserters.—Poor Mahoni was, in consequence, arrested and degraded, but in the end, after a world of annoyance and trouble, his good name and rank were restored. It does not appear that the contriver of his disgrace made any exertions to repair the mischief he had done.

Leopold died in 1705, Joseph his son and successor in 1711, and Charles. VI. Joseph's brother assisted in person during the greater part of the war of the succession : a medal was struck and extensively circulated at the time, bearing the inscription —*Chas. VI. by the Grace of the Heretics Emperor, &c.* Ruvigny, who commanded the British Auxiliaries, being a Frenchman by birth, and the French and Spanish forces being led by Berwick, natural son of James II, the Frenchman had frequently to restrain his feelings while listening to his own officers drinking the health of his great opponent, under the title of the *British Commander*, as the quibble would effectually justify the toast if he showed any resentment.

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stone, an officer distinguished for his gallantry and bravery. In 1794 the Regiment, then commanded by Lieutenant Colonel Wellesley, afterwards Duke of Wellington, embarked at the Cove of Cork for India.—The Regiment continued in active service during the whole campaign of Mysore, and was one of the corps employed in the storm of the fortress of Seringapatam, on the 4th of May, 1799, where its loss was considerable. The 33rd, on the glorious plain of Waterloo, remained in position on the field of battle until about noon, on the 17th, when the Army began to retire from Quatre Bras. On the forenoon of the 18th the Regiment rejoined the Brigade in position. The loss of the gallant corps was as follows :—Killed—Officers, 11; Sergeants, 8; rank and file, 247. Wounded—Officers, 26; Sergeants, 14; rank and file, 203. The detachments of this gallant corps sailed from Kingstown, to join the Regiments at Malta, for service in Turkey, on the morning of Tuesday, March 28th, 1854.

Philip, Duke of Orleans, afterwards Regent, bore a trifling part in the war, as did the Duke of Vendome, grandson of Henry IV. This last commander, who presented in his own person an exaggeration of the failings and defects of his grandfather, had defeated the Austrians in Lombardy, and brought thence, in his train, Alberoni, the future prime minister of Philip. His treatment of the commou soldiers was invariably marked by affability and kindness, but to persons of, or near, his own rank he was morose and disobliging. He curbed his natural petulance, while mixing among the Hidalgos, in order not to prejudice the common cause; but on one occasion, while the old Castilian nobles were signing a profession of loyalty and attachment to Philip, and marking after their names,—*Noble as the King*, he could hardly restrain his wrath. It burst forth at last, at the sight of a little variation, introduced by one grandee, which ran thus,—*Noble as the King, and even more so.* "How," said he, "is this the respect you show to the Regal line of the Bourbon?" "Pardon," was the answer, "Philip though a King and a Bourbon, is still but a Frenchman, while we are Castilians." Philip's first wife was Maria Louisa, daughter to the Duke of Savoy. Some historians dwell on his love of ceremonial, his dislike to personal exertions, and the entrusting his authority to favorites; but compared with other Sovereigns of the time he appears to considerable advantage. It is hard to blame him for taking possession of the Spanish Throne after having been legally declared the late King's successor, and though not fond of fighting for its own sake he was constitutionally brave, a devout Christian, an affectionate husband, and as good a sovereign as he could afford to be. His Queen was worthy of her exalted station and circumstances: when a necessity arose, she quickened the natural indolence of her husband, and on one occasion harangued the Cortes with such effect, as to procure a very unhoped for supply of the sinews of war.

While Spain was desolated by this unhappy strife, the leading powers were contending on the same account in Belgium Germany, and Lombardy. France during these, and the preceding wars, suffered severe reverses at the hands of Marlbough and Prince Eugene, at Blenheim in 1704; at Ramillies, in 1706; at Oudenarde, in 1708; and by a doubtful fight at Malplaquet, in 1709; and yet, after suing unsuccesfully for peace, she was able to route 14,000 English under Albemarle in 1711, by the skill and bravery of Marshal Villars.

Queen Anne having seen the last hope of the reign of her own issue extinguished, began to feel better disposed to the accession of her brother, and of course with a better disposition to make peace with France and with Philip. Harley and Boingbroke, having secured the wand of power lately held by the Duke and Duchess of Marlborough, seconded the Queen's wishes so well that a good understanding with the French court was soon established without the consent of the Emperor or the Dutch; and Philip was acknowledged King of Spain and the Indies, on giving up his claims to the Netherlands and Italy. Holland became a party after some time, but the Emperor was not so easily won over.

Louis having now reigned about seventy years, and having led a very "fast" life in his youth and manhood, for which we may charitably hope he felt real contrition towards the decline of his years, and now at the close, seeing a prospect of peace and rest to his worn out realm, had the grief to witness the death of Lewis, the Dauphin, in 1711, and the death of the Dauphin's eldest son, the amiable and virtuous Duke of Burgundy, next year; and in three weeks afterwards, the death of this prince's eldest son, the Duke of Brittany. There now remained only the Duke of Anjou, a sickly infant of two years old, as presumptive heir, and in case of his failure, Philip of Spain would be the Sovereign of the two great Kingdoms.

Louis, in his Will, had appointed the Duke of Mayne, (his son by Madame de Montespan) Regent of the kingdom, and guardian of Louis XV. He had previously attempted the impossible by *legitimizing* this Prince and the Duke of Tholouse, another of his bastards. He expired in 1715, and his funeral cortege to the Church of St. Denis was unattended by a single member of his own family. There was even a sort of fair held on the plain adjoining the Royal sepulchre at the expected period of the funeral, with the simple intention of offering every indignity to his remains. Doubtless the unceasing warfare of his long reign had inflicted misery, and ruin, and grief, incalculable on his subjects,—but this might have been overlooked but for the devotion of his latter years, and the consequent restraint and forced semblance of piety which his licentious court was obliged to assume. In the first assembly of Parliament after his death, the will was superseded by the address and vigor of the Duke of Orleans, his nephew. Orleans was appointed Regent, and the

Marquis Villeroi, a pompous nobleman who enjoyed the privilege of having lost every battle in which he had commanded, obtained the personal charge of the Royal Infant.

The Duke of Vendome, who has been already mentioned, was conducting the Italian war against Eugene in 1705, with great credit to the French arms. The Duke of Parma at this time had occasion to send to him one of his Council, the Bishop of St Domino, to pray him to moderate the intensity of his exactions on his territories. Vendome, at the period of the envoy's arrival, was employed innocently enough, but neither the accompaniments, nor the locality, were well adapted for the reception of strangers. The Bishop was somewhat put out of countenance by the *mise en scene*, but not wishing to prejudice his master's affairs, he appeared not to be aware of any thing unusual, but, enquired after the Ducal health. "All right" was the reply. "Indeed your Grace's countenance" (one adorned with many carbuncles) "seems at present rather flushed." "Bah! that is nothing to another region of my body;" and he was about to give a visible and very unnecessary proof of the truthfulness of his speech, but this was too much for the nerves of the good Prelate, and he made a hasty retreat, promising to send a more fitting substitute to transact the business, namely, his almoner, Alberoni.

Alberoni was born in the cabin of a gardener. While a boy he amused his leisure by ringing the church bell for prayers, and being grown up, he exchanged his linen frock for the clerical collar. He was of a jovial disposition, and laughed on every occasion. One day the Duke of Parma, who never laughed at all, heard him indulging in one of his boisterous cachinnations, and calling to him to know the reason, he related some ridiculous and grotesque adventure, at which the melancholy nobleman was obliged to laugh in spite of himself; and beginning to find a wonderful benefit from the risible exercise, he attached the young cleric to his own chapel, as much for the sake of enjoying his buffoonery, as for any other service. By and by, he perceived that his jester was a man of wit and judgment, and fitted to serve him in a political capacity as well as in that of a household buffoon, and to him was now entrusted the affair of winning Vendome over to amicable relations. He found the French commander occupied as before, but improved the unpromising occasion by paying a compliment suitable to the circumstances to the great chief; and being at dinner soon

after with the Duke, he took a napkin on his arm, walked down to the kitchen, and concocted such a plate of Parmesan soup, as secured the ducal stomach to his interests for ever. Our aspirant took no pains to instruct the cook in the concoction of the new dish, indeed he took special care not to impart the receipt to him at all, so that Vendome kept Alberoni about his person as much as he could; brought him to Paris, and thence to Spain, when he went thither himself to bring aid to Philip. In the solemn, pompous, and dull atmosphere of the Spanish court, the presence of such a man as Alberoni must have been considered a charm, as his entertaining qualities were fully matched by his powers in managing the wires of court intrigue. He contrived to secure the office of Envoy of Parma at Madrid, but lost his patron, the Duke, in 1712, by an over indulgence in a feast of shell fish.

The Queen of Spain died in 1714, and it was a matter of some moment to Alberoni, and to the Princess Ursino, to select a successor whom they might easily mould to their own interests. This strong minded and liberal lady just mentioned, whose exemption from moral and religious prejudices must have endeared her memory to George Sand when young, and to Lady Morgan young or old, had on one occasion opened the Government dispatches on their way to France, and found herself therein impeached of living with her secretary as his mistress, or at least of being privately married to him. In a marginal note she stoutly denied the second impeachment, but did not condescend to notice the other; resealed the parcel, and forwarded it to its destination. After having figured in the courts of France and Italy, and having released her husband from his marital obligations, she had held for some years, the post of chief Lady in Waiting to the late Queen. Chronicles relate that though now near the ripe age of seventy, she entertained some hopes of consoling the afflicted widower. Finding a serious obstacle to this design in the personal dislike shown to her by Philip, she consented to Alberoni's selection of Elizabeth Farnese, daughter of the late Duke, and niece of Francis, reigning Duke of Parma, whom he represented as a young, artless, damsel, brought up on butter and cheese, and taking no interest in any thing but needle work and embroidery. She would be allowed the empty title of Queen, but the Princess might mould her as a pat of butter into any shape befitting their common interests. Now Philip, though a meek man in his way, and never willing to use personal harshness, loved domestic quiet; and warned by

the memory of little family broils, during the life of his late Queen, and incited or encouraged by the Princess, wrote secretly to his new bride while on her journey, and advised her to get rid of Madame at once, or give up all idea of future domestic comfort. And she followed his advice to the letter. On their first interview, the Princess having gone forward to meet her, she made occasion of a quarrel, got her arrested, and conveyed in her court dress, in intensely cold weather, and in a carriage, one of whose windows was accidentally broken, first to Burgos, and then across the Pyrenees. She closed a feverish and worthless career at the little court of James III. in Rome. The day after the nuptials Philip declared Alberoni prime minister.

As the succeeding portions of this paper will chiefly have relation to the French Court, a glance at the genealogy of the Royal Family may be here appropriate. Henry IV, the first monarch of France of the house of Bourbon, traced his line from the first of the name,—Robert V., Count of Clermont, and Lord of Bourbon, youngest son to Lewis IX, the other Royal branch,—that of Valois, having ended by the deaths, in succession, of the three sons of Henry II.,—Francis II., Charles IX., and Henry III. Henry IV. left two sons,—Lewis XIII., his successor, and Gaston of Orleans. Few are ignorant of the fact, that this monarch and his Kingdom were strictly ruled by the great Cardinal Richelieu, or are unaware of the miserable plots of Gaston, from time to time, and their no less miserable failures; and of the execution of his less guilty friends and creatures, while Gaston himself got each time no more than a friendly pat on the back, and a recommendation to rusticate for a short period, and be more loyal for the future. Oh! the good old times, when little princes had whipping boys, whose suffering backs were flayed when their Royal masters were idle or naughty; and honored be the memory of your birch rod, O Great Buchanan, which, rejecting meaner proxies, smacked the Royal skin of James, the burner of witches.

One of Gaston's daughters, the Duchess of Montpensier, is celebrated by her own Memoirs, and by all the sufferings she met at the hands of her lover and tyrant, the Duke of Lauzun. Louis XIII., worn out by the control of Richelieu, and by the ennui ensuing on the recovery of his liberty at that great man's demise, died off at last, leaving issue, Louis XIV., then a child, and Philip, Duke of Orleans. Louis was

married early to Maria Theresa, daughter to Philip IV. of Spain by his Queen, Elizabeth, daughter of Henry IV. of France; consequently the young couple were first cousins.

The Dauphin, their son, who would have been Louis XV. if he had survived his father, was married to the electoral Princess of Bavaria: their children were Louis, Duke of Burgundy, Philip, Duke of Anjou, afterwards our Philip V. of Spain, and Gaston, Duke of Berry. Before the death of Louis XIV., as was mentioned, both the Dauphin and his eldest son, Burgundy, and his eldest grandson, Brittany, died in rapid succession.

One of Louis's daughters by the Duchess de la Valliere, was married to the Duke of Bourbon, Prince de Conti. The Contis, and Condés, and Charolais, being one branch of the descendants of that Robert, Count of Clermont, mentioned above, and consequently relations of the reigning family, and Princes of the Blood.

Philip, Duke of Orleans, brother of Louis XIV., was first espoused to Henrietta Maria, daughter of Charles I. of England. One of their daughters became wife of Charles II. of Spain, and another, the wife of the Duke of Savoy.

By his second wife, Eliza Carlotta, the Palatinate Princess, he had Philip, Duke of Chartres, who, on his father's death in 1701, became Duke of Orleans; and on the death of his uncle, the King, appointed himself Regent, did his duty conscientiously to his Royal Ward, never punished a personal affront, composed music, made chemical experiments, spent his evenings in bad company, and withal, was never able to conquer the dreaded enemy, Ennui. Premising that the eldest son of France derives his title of Dauphin from the following circumstance, our genealogical memoranda are ended.

Humbert of Dauphiné, one of the Blood Royal, seeing himself without heirs, made over his province to Philip of Valois in 1358, on condition that the eldest Prince should ever afterwards be styled Dauphin. Charles V., surnamed the Wise, was the first who bore the title, his accession dates, 1364.

Let us return to our Regent: whatever were his short comings in other respects, he was a most affectionate and dutiful son to the Princess Palatine, who nevertheless had a rough way of exhibiting her maternal feelings. For instance, Philip being urged by the King to marry Mlle. de Blois, daughter of the Duchess de la Valliere, and at last giving a very reluc-

tant consent, his mother rewarded his compliance by a lusty slap on the cheek in the presence of the crowded court. His chief objects, from his assumption of the Regency, were to humble the pretensions of the Dukes of Maine, and of Tholouse, to whom the late King had given the *pas* over the *Ducs et Pairs*, after legitimizing them, and making them eligible to the succession, and to bring the young Louis XV. safe through his minority, and thus silence the obloquy under which he suffered of having been accessory to the deaths of the Dauphin, and his direct heirs.

Now, as in the event of the death of the infant Lewis XV., Philip V. would be the direct inheritor of the French Crown, and consequently Philip of Orleans would lose all influence, and all the interest of France and Spain would be employed to settle the Pretender comfortably in St.James's,and moreover the balance of power in Europe would be jerked out of the horizontal, it will not be wonderful to find Cardinal Dubois, the Regent's *Ami Damnée*, closeted with George I. and the Dutch Plenipotentiary in London, and entering into a strict union against the King of Spain, and his minister Alberoni.

On the other side, the Duchess of Maine, who was worth ten such as the lazy and worthless Duke, her husband, galled by his disgrace and loss of influence, is contriving to procure an autograph from Philip to his nephew Louis, requesting him to call together the States General.

The notables thus convened, being won over in the interim, are to depose the Regent, and give his office to her husband, and an identity of interest is to be established between the two countries. In aid of this manœuvre, or in case of its failure, some bold spirits were to seize on the person of the Regent, and convey him in a close carriage, on pretence of his being a gentleman of unsound mind, to some fortress in Spain, and thus save him the annoyance of witnessing the triumph of his political rivals.

So far we have sketched the political history of the period in which our author has laid his plot, and now we turn to themore immediate subject of the present paper.

If we can trust to internal evidence, and the report of French literary critics, *Le Chevalier D'Harmental*, though appearing with the name of Dumas on the title-page, is written by Auguste Maquet, his ablest collaborateur, and in fact a better novelist than his principal. With equal energy and descriptive

power, he avoids Dumas' extravagance, and takes the trouble of depending for plot, language, and incidents, on his own exertions, in preference to pillaging the brain-stores of his brother scribes.

Our hero is a brave young Nivernois Gentleman, who had just joined Marshal Villars' forces, towards the close of the reign of Louis XIV., after Tallard and Marsin had been beaten at Hochstett, Villeroi at Ramilies, and when the accomplished Villars himself was not able to command fortune at Malplaquet. Louis could neither keep up the war, nor would his enemies allow him peace on any honorable terms. He was satisfied to abandon Spain and narrow his frontiers, but this would not suffice, unless he allowed free passage through his realm to his conquerors, while marching to dethrone his grandson; and give up to their tender care, Cambray, Metz, Rochelle, and Bayonne. The poor battered old Monarch shed tears of rage in the midst of his Council, and these tears procured a fresh army.

Villars, at the head of this force, marched straight to Denain, where the enemy under Albemarle, with eyes fixed on the agony of France, had no apprehension of an attack. They had established a strong line of fortifications between Denain and Marchiennes. Villars announced publicly his intention of attacking Landrecy, but instead of doing so, he marched in the night towards the lines mentioned, flung three bridges over the Scheldt, got into the marshes where the soldiers were up to their middle in water, attacked the redoubts, carried them, arrived at Denain, passed the fosse, penetrated the town, and received from the *Chevalier D'Harmental* the sword of Albemarle whom he had just made prisoner.

But the fight is not yet won; Eugene is approaching; Villars seizes on the Bridge he is to pass, his headlong charges are seven times repulsed, and his best men are destroyed by the Artillery and the Bayonets of the French. With his dress all tattered by bullets, and blood flowing from two wounds, Eugene mounts his third horse, shedding tears of rage, and retires, tearing his gauntlets with his teeth. Six hours have changed the destiny of the world, La Belle France is saved, and Louis is still *Le Grand Roi*.

The Marshal immediately dispatches the *Chevalier*, though wounded and weary, to announce the happy event at Court: he springs on a fresh horse, and in twelve hours is at Versailles.

"Villars had foreseen what would happen to his protégé. At the first word he uttered, Mme. de Maintenon took him by the hand, and conducted him to the King who was engaged with his Secretary Voisin, though ill at the time. She opened the door, pushed the Chevalier forward, and raising her hands to heaven cried out, 'Sire, give thanks to God, for we are nothing of our selves, and from Him comes all grace and help.'

'What is this?' said the King; 'speak, monsieur'. 'Sire, the camp of Denain is taken; the Duke of Albemarle is a prisoner; Prince Eugene in retreat, and Marshal Villars places his victory at the feet of your Majesty. Notwithstanding his self-possession, Louis turned pale, he felt his powers giving way, and leaned on the table. 'What is the matter, Sir?' said Mme. de Maintenon pressing over to him. 'Nothing, but that I feel I owe you every thing. You are the saviour of the King and your friends preserve his kingdom.' Then Louis XIV. all pale and agitated, passed behind the curtain which screened his bed-chamber, and they heard him rendering fervent thanks to God in a low voice: after a few minutes he re-appeared, calm and grave as if nothing had happened.

On rising from his long sleep next day, Raoul D'Harmental found his brevet of Colonel lying on his table."

But by the death of the King, and the failure of the Duke of Mayne, our hero's prospects are blighted. Mme. de Maintenon retires to St. Cyr; the Duke of Mayne to his paradise at Sceaux to finish his translation of Lucretius; and the frank, unambitions Duke of Tholouse, his brother, betakes himself to his country-seat to hunt and fish.

D'Harmental indulges his melancholy for eight days, but since the demise of Louis, melancholy had gone out of fashion; and, though a Trappist compared with other young gentlemen of the time, he is brought into an intrigue with Mme. D'Averne, wife of the Lieutenant of the Guards, who, despite all the seductions of the Regent himself, remains constant to our hero for three months.

Supping one evening at La Fillon's, a *chère amie* of the famous, or infamous, Dubois, with one of his companions, he is awakened out of his fool's Elysium by the conversation of three friends of the Regent, in an adjoining box. He learns therefrom, that his true love could no longer resist the presents and other blandishments of Philip, and that the willow is his portion. He taps at the partition, and gives the youths the lie; they, in return, give their names, and appoint a hostile meeting beyond the Porte Maillot for the morning. On this morning then, the 22nd of March, 1718—

"A young gentleman about twenty-six years of age, mounted on a gallant Spanish steed, kept watch at the corner of the Pont Neuf

After about half an hour's delay, with his eyes wandering at hazard among the crowd, they at last rested on an individual who was approaching from the direction of the Rue Dauphiny. This was a tall man, wearing, instead of a peruke, his own long black hair, sprinkled with grey, and dressed in a style half bourgeois, half military. He bore a sword preposterously long, and his hat, which once boasted ribbon and plume, now hung so much on one side that it was a perfect miracle of equilibrium. There was in the whole ensemble of the man who moved on at leisure, in a sauntering gait, carressing his moustache, and waving off the crowd when it approached too near his august presence, such an air of careless unintentional insolence, that the horseman murmured under his breath, smiling at the time, 'This is our man without a shadow of doubt.' He then approached with an air of wishing to accost the new-comer, who waited as soon as he saw his intention, right foot in third position, one hand on the pommel of his sword, and the other stroking his moustache. The young gentleman raising his hand to his hat, thus opened the conference:—'Monsieur, I judge by your air and carriage, that you are a gentleman, am I right?' 'By my faith you are,' said the man on foot, touching his rusty hat, 'I am not only a gentleman, but, unlikely as it may seem, a Captain to boot.' 'Delighted at the information, for you are the better qualified to relieve our embarrassment.' 'You are freely welcome, Sir, to everything at my command, my purse excepted; the last crown it held is at this moment in the till of the Cabaret down there.' 'Sir, I have no need of your purse whatever, you are, on the contrary, welcome to mine which is entirely at your disposal.' To whom have I the honor of speaking?' said the Captain, visibly touched by this pleasing view of the case. 'I am called the Baron de Valef, and you must know that my friend, the Chevalier D'Harmental, in the course of last evening, brought a mighty pretty quarrel on his hands with three gentlemen of the Guards. Our party being only two, I waited on some of our friends this morning, but none of them had slept at home last night; and as I must depart for Spain in two hours, and as the rencontre must take place at half past nine I had only to adopt the present plan to procure a third comrade.' 'And you did well, Sir, I am heartily at your service.'"

They proceed to the rendezvous, the *Captain* taking a position *en croupe*; and while they ride *Valef* enters into the circumstances related already. The *Captain* though judging the provocation not grave enough to induce a quarrel, is not the less eager to get a little exercise; especially after meeting with the handsome and gallant *Chevalier* at the Barrier, who thanks him earnestly, and offers to repay the good office in kind, at any future opportunity. At the appointed place in the wood they meet their opponents, the *Count de Fargy*, the *Marquis de Lafare*, and the *Chevalier de Ravanne*,—three of the Regent's favorite roués,—accomplished, gallant, and

good-natured in their way, *Ravanne* being the youngest of the trio. The three gentlemen on each side advance, hat in hand, with such a serene smile on their faces, that no one could imagine the possibility of a combat being on the tapis; and *Ravanne* mentioning that the spot seemed too exposed, proposed to guide them to one more retired.

"Lead on, child," said the Captain, "let us follow the youth: Innocence points the way to Safety."

Ravanne turned round, and measuring our friend of the rusty hat from head to foot, addressed him, "If you are not particularly engaged, worthy sir, I claim your preference."

Several compliments were now exchanged on both sides, and the four chief personages were soon engaged at the sword's point. No spite or dislike evident, but all in the purest courtesy.

"'Use a little briskness, Sir, if you please,' said Ravanne to the Captain who was leisurely folding up his coat, and laying it out neatly by the side of his hat. 'No hurry, my fine young gentleman,' said the old soldier, continuing his arrangements with the same composure. 'The most essential quality of valor is coolness: at your age I was just as hot-headed, but after the third or fourth thrust I received, I retraced my steps. Now for it,' added he, pulling forth his long blade. 'Plague on your toasting iron,' said Ravanne looking doubtfully at the length of the weapon, 'it reminds me of the large spit in my lady mother's kitchen. I wish I had it here, to be on something like a footing of equality with you.' 'Your mother is a worthy lady, and her kitchen first rate, I have heard honorable mention of both, so I'll take care not to throw either into grief for the slight cause that affords me the honor of crossing blades with you. Now then, imagine that you are merely taking a lesson with your fencing master, and thrust home.' The recommendation was needless: Ravanne enraged at the sang-froid of his opponent, which, despite his own high courage and self-confidence, he could scarcely hope ever to attain, rushed on the Captain with such fury that the sword hilts clashed, and the Captain made a step backwards. 'Ah, you break ground, my tall gentleman,' said Ravanne. 'To fall back is not to retreat, my little Monsieur,' answered the Captain: 'besides, I wish to study your play. Ah, you are a pupil of Bertholet. He is a reasonably good teacher, but has one great fault: he does not show how to parry. See there now,' said he, answering to a cut in second, by a direct lunge. 'Had your blade that time given me a slice, I would have spitted you like a lark.'

Ravanne was furious, for he had felt the point of the other's weapon at his breast, but as light as the button of a foil, and being conscious of owing his life to the forbearance of his adversary, he attacked him again with redoubled rage.

'Easy, easy,' said the Captain, 'you are losing all discretion, and want to deprive me of an eye; fie, fie, young man. At the breast,

morbleau, at the breast. You won't: well, I must disarm you, I see. Still at the face! Go now and pick up your weapon, and come back on one leg, to allow yourself time to cool.' And with one strong sweep of his blade, he sent Ravanne's sword spinning twenty paces away. This time Ravanne profited by the advice; he went and took up the sword, and returned leisurely; his face being as white as his satin vest, on which appeared a drop of blood. 'Sir, you are right,' said he: 'I am still a boy, but hope that my rencontre with you will advance me on my way to manhood. A few passes more, if you be good enough, so that I may not lose all the honours.' And the Captain was soon sensible that all that was wanting to Ravanne was coolness; and he was obliged to put forth more of his science to guard his person from a prick; but his skill and practice was so perfect, that there was no chance for his young adversary. Again the weapon was struck out of the hands of Ravanne; but this time the Captain took the trouble of picking it up himself, and presenting the hilt, complimented his antagonist on his prowess, but requested him to change Bertholet for the superior teaching of Bois-Robert. The young gentleman returned suitable thanks, sheathed his weapon, and then both turned their eyes on the other combatants. D'Harmental was seen staunching the blood from a wound in Lafare's side, the rib having happily caused the blade to glance sideways; and Fargy and Valef were both wounded, one in the arm, and the other in the thigh.

'Look at this spectacle, young man,' said the philosophic Captain, 'and reflect how four or five brave gentlemen might have lost their lives for a good for nothing woman.'

'By my faith, Captain, you are right, and I think you are the only one in the company that seems to possess common sense.'"

Lafare advises his opponents how they may best avoid suspicion; and *D'Harmental* expedites the surgeon to the aid of the wounded men; and on taking leave of the *Captain*, acquaints himself with his name and house of call, and requests his acceptance of his a horse. *Roquefinette*, so the *Captain* had named himself, makes no useless objections, but treats himself to the good breakfast ordered by the *Chevalier* at the Barrier, and after taking some constitutional exercise on his steed, sells him, and manages to live in luxury for some time on the proceeds. On reaching home, the *Chevalier* finds a note awaiting him: the contents will point the moral so well deduced by the worthy *Captain*.—

"My Dear Chevalier,

No one is thoroughly master of his own heart, and it is one of the miseries of our nature that we can neither love the same person or thing for any reasonable time. For my own part I wish to be considered superior to other women, and will not deceive him who was once my accepted lover. Do not then come to visit me at your accustomed hour, for the word would be '*not at*

home,' and I am too considerate to risk the salvation of valet or femme de chambre, by obliging them to utter a gross conscious falsehood. Adieu, my dear Chevalier, preserve me in your good opinion; and let me think, in ten years time, what I think at this hour,—that you are one of the most gallant gentlemen in France.

Sophie D'Averne.

'Ah!' said the Chevalier, striking the table with his clenched hand, 'if I had killed Lafare I would never have forgiven myself.'"

Another note, found by the side of this, invited our hero to a masked ball, where a good genius, with a purple ribbon on the left shoulder, would meet him, and give him an opportunity of worthily employing his talents, and triumphing over his ill wishers. At the hour appointed he is in the middle of the assembly at the Opera House.

The first person he recognised was the young Duke of Richelieu, whose name, adventures, elegance, and indiscretions had set him at the summit of the fashion. Two Princesses of the Blood were rivals for his love; but this did not hinder Mmes. de Nesle and de Polignac fighting a duel, with pistols, for him; nor Mmes. de Sabrau, de Villars, de Mouchy, and de Tencin from holding temporary leases of his heart. It is well known that during one of his dozen sojourns at the Bastile, he was allowed, for the sake of his health, to walk on the platform; and that all the fashionable ladies of the court took the opportunity, during the hour of recreation, to come, with full equipages, to the nearest open place where, though at a distance, they might be blessed with a flying kiss of his glove, or a wave of his handkerchief.

"He was now relating to Canillac, one of the Regent's nocturnal companions, some diverting history which the Chevalier's slight acquaintance would scarcely permit him to come listen to uninvited; but Richelieu, as he passed, seized him by the skirt of his coat. 'Come, Chevalier, I am telling Canillac an occurrence which in his capacity of night walker may be of use to him. I will take it as a favour from you also to give it what circulation you can, for I have not yet revealed it to more than twenty; consequently, it is hardly known, and besides, the matter has only just occurred.'

Just then Ravanne passed, giving chase to a mask. Richelieu cried out to him to stop, but he answered he had no time to spare. 'Where is Lafare?' 'He has a headache.' 'And Fargy?' He has hurt his foot;' and Ravanne making a friendly salutation to his antagonist of the morning was soon lost in the crowd. 'Now for the story,' cried Canillac. 'You must know then that after my late release from the Bastile, Rafé(*his valet*) one morning handed me a perfumed note, inviting me to a tete-a-tete with Mme Parabere.

(a member of the Regent's Saraglio, whom he called his Little Crow.) You may be sure that I was punctual to keep tryste with the favorite of him who keeps the keys of the Bastile; but whom do you think I found sitting by her side on my entrance?' 'Her husband, probably.' 'Not at all, it was the Regent himself. I was a little bewildered, but kept my countenance as well as I could, and saluted the lady with the most profound respect, but this only made the Regent burst out a-laughing. 'Come and take a seat with us,' said he; 'our poor Marquise is in despair. Her brute of a husband, who has neglected her shamefully for two years, is now threatening her with a process on pretence of her having a lover.' The Marquise at this point did her best to blush, but finding the operation difficult, held up her fan instead. 'Well,' said the Regent, 'when the poor Marquise told me her grievance, I called D'Argenson, *(the Chief of the Police,)* to know who might be this lover, and what do you think was the answer the rogue gave me? Why that it was either you or I. So now as both are equallythe object of calumny we must aid and assist each other, and avoid the scandal of a process, especially as Parabere clamors to be made a Duke.' 'The difficulty is,' said Madame, 'that he has not come under my roof for two years, and swears he will kill me if the ghost of a lover dares only to look at the door.' 'Then,' said I, 'I suppose we would be safe if he were seen entering and remaining in the house a night, and going out the next morning, like an ordinary, dutiful husband.' 'Certainly.' 'Well, I'll see to that, if Parabere is weak on the subject of Chambertin or Burgundy.' 'I fear he is,' said his affectionate wife. 'Well then we're saved. I'll invite the Marquis to a choice supper with some good fellows and charming women; you will send Dubois who, as he cannot drink himself, will see that the Marquis is not neglected; and when all are under the table, he can gather up the litigious husband,and the rest of the comedy lies between himself and the coachman.' All turned out as we had arranged. Parabere went to sleep last night at my house, and woke up this morning by the side of his faithful spouse. You may suppose that he did not keep his grievance to himself, but roared out lustily. However, there was no help. All his domestics saw him enter, and go out again, and if he tries law, we have numbers to swear that he adores his wife unknown to himself, and that she is a model of conjugal fidelity, equally without his knowledge. And now, Chevalier, promise to relate this adventure to that charming Black Bat who seems anxious to engage your attention, and urge her to add wings to the report.'"

The lady whose black habit, by its shape, gave her some resemblance to a bat, succeeds in inducing our hero to allow himself to be blindfolded and conducted to the presence of the Duchess of Maine. This lady, the grand-daughter of the great Condé, was exceedingly small of stature, and not at all beautiful; but she was graceful, talented, sprightly, and energetic to a surprising degree. Had her husband been endowed with her resolution,and other gifts,the ensuing events of French

History would present a different aspect. The Lady "Bat" was her attached favorite, Mlle. de Launay who was afterwards imprisoned on her account, and left to the world one of the charming gossiping Memoirs of the time. She became Mme. de Stael, while in the Bastile, and after she and husband were set at liberty, she often regretted that period of restriction, as she experienced the usual married luck of a woman of genius.

D'Harmental meets, at the Duchess of Maine's, the Cardinal de Polignac, a rather timid conspirator; the brave and honest Marquis de Pompadour, who having been a play-fellow of the elder Dauphin, has transferred all his love and loyalty to the Duchess; M. de Malezieux, an old, accomplished, and indolent man of letters who had assisted in the education of the Duke of Maine; Count Laval, a brave soldier whose jaw had been broken in the Italian wars, and the Abbe Brigaut, a subtle unprincipled man, but full of resources. The Ambassador of Spain, Prince Cellamare, is also present, and on his informing them that Cardinal Alberoni had not yet succeeded in inducing Philip V. to dispatch an autograph letter in furtherance of their designs upon the young King, they lay out a plan to secure the Regent's person, and conduct him across the frontier; the Abbe Brigaut watching for a suitable moment, and being provided with forged passports. The Regent is to fill the part of a gentleman of damaged intellect, who, supposes himself to be Philip of Orleans, and *D'Harmental* undertakes the chief post of danger in the plot.

In 1717, on the 4th of February, the Triple Alliance had been signed at the Hague by the Abbe Dubois on the part of France, by General Cadogan on the part of England, and by the Pensionary Heinsius on that of Holland; the object being to oblige the Emperor to recognise Philip V. as Monarch of Spain and the Indies, and to compel Philip to resign all claim to the Italian territory and the Netherlands. Neither the Emperor nor Philip had given adhesion to these arrangements, but at the period of our story, Dubois was in London, closeted with the English, Dutch and Austrian Plenipotentiaries, the four powers being determined to make Philip come into their views. It would be no difficult matter to induce poor Philip to do any thing reasonable, for his worst enemy could say no more of him than that his earthly wishes were limited to a loving Queen and a praying desk. If the King of Spain was easy to be dealt with, so was not his prime Minister. He nourished at heart the design of uniting the powers of Charles XII. of Sweden, and the Czar

Peter, for a united attack on Britain, as soon as the Pretender was ready to make a descent; and to unite the Kingdoms of France, Spain, and Italy under the sway of his own master. This was one of his great mad projects, but he shewed that with fitting instruments he was capable of achievements really worth recording. At a time when the revenues of Spain were of no service but to benefit the collector, and when the military spirit of the country was almost broken by reverses, he fitted out two expeditions,—one of which wrested for the time Sardinia from the Emperor, and the other took Sicily, and held it against the Austrians and the English for a considerable period, with spirit and gallantry.

Not intending to glance at this subject again, it may be mentioned here, that the Duke of Savoy for some consideration or other, got Sicily as a present one time, and when it fitted the Emperor's purpose, he took this island from him again and gave him Sardinia instead. If any reader of *Martin Chuzzlewit* take it into his head to study the transactions of this memorable time, he will meet the name of this little potentate frequently, and as last consider him as a sort of *Chevy Slime* with a coronet, he had such a talent of doing nothing except "waiting round the corner" for any stray island that was not of much use to King or Emperor.

The Abbe Brigaut establishes the *Chevalier* in a quiet street, disguising him as a student from the country, and brings him, from day to day, exact details of how the Regent is to pass the ensuing one. At last a favorable opportunity offers: Philip is to sup next evening with the *Chevaliers Simaine* and *Ravanne*, at Madame de Sabran's, in the Rue des Bons Enfans. This street, and the eastern façade of the Palais Royal, are adjoining and parallel; and our hero having secured the services of our old acquaintance, *Captain Roquefinette* and his band of mercenaries, they will secure the Regent, at his exit from his rendezvous, get him quietly into a coach, and being provided with proper (forged) passports, conduct their assumed lunatic, nicely and agreeably, over the Pyrenees. They are at their posts, determined and prepared; ensconced in porches and corners of the street, when out come the Regent and his associates on the balcony; but either through the influence of liquor or suspicion, *Simiane* proposes to Philip to follow him, as he climbs an iron trellis work to the roof. Philip agrees, and the three get on the parapet with some difficulty, and by this time they are aware of the presence of the ambuscade.

They lose no time, but get down through a sky-light into the interior, pass out at the back or western quarter of the house, jump from the garden down into the road, cross it without delay, and get safe through a wicket of the Palais Royal, just as the Chevalier's party had come within a few paces of them, after sweeping round the north and south points of the block of dwellings.

"Next morning, about nine o'clock, the Regent who had slept as if nothing had occurred to disquiet him, was working in his office. Thanks to his thorough insouciance and constitutional courage, the slightest trace of disturbance could not be remarked on his countenance; ennui, his perpetual foe, was alone able to throw a shadow over it. The various articles lying about showed the presence of the Politician, the Savant, and the Artist. Besides the large table in the middle, covered with papers, pens and ink, there was a retort, three quarters full, and an opera, and a painting in progress, so that he was enabled to pass from the most complicated political calculations to the wildest efforts of invention in design, or the delights and sorrows of music. All these were his weapons against the dreaded enemy, Ennui, which, though often repulsed, was ever near to seize on him, so that no moment of his waking hours was without occupation, indefatigable labor, or vulgar debauch.

Being apprised that Madame Elizabeth Charlotte, his mother, was anxious for an interview, he expected a summons to her presence every moment, when the door opened, and instead of the messenger, she, herself, entered. A word or two has been already said on her want of personal attractions: she describes herself as having little eyes, a thick snubby nose, short body, ditto legs, and the ugliest hands ever owned by a princess. Louis XIV. had managed her union with his brother after the death of his first wife, in order that he might secure an interest in Bavaria, as well as he had already done in Spain and England, by his own marriage and his brother's former one; but notwithstanding his wish to keep up the most cordial relations with her, he never conld endure her hands. After her husband's death she still retained all the honours and dignities of her former state, instead of being obliged to retire to a convent, or to the old dower house of Montargis, and this attention was shown by the son, though he still smarted from that box on the ear conferred on the future Regent, for consenting to marry the Royal Bastard, Mlle. de Blois. In effect, the haughty Palatine Princess, elevated on her thirty-two paternal and maternal quarterings, could not but look on it as a disgrace, that a son of her's should ally himself to the illegitimate offspring of the greatest on earth. However, when she considered that it was to a brave boy of eighteen years she had administered that token of her motherly feelings, she felt rather apprehensive on his becoming Regent that he would remember the day at Versailles. She was agreeably disappointed, for he appreciated the inciting cause, though considering the manifestation as rather too Teutonic; and put her on a scale of rank equal to that of his wife: nay, when the Duchess of Berri, his eldest daughter,

claimed the service of a company of guards, as the wife of a Dauphin he granted the request only on the condition of his mother enjoying the same honours. As a drawback, she possessed not the slightest political influence, less even than her son's mistresses. She was an indefatigable and most indiscreet correspondent of Wilhelmine Charlotte, Princess of Wales; and of Duke Anthony Ulric of Brunswick; and the Regent had no desire that his state designs should ooze through such channels. To compensate her in some degree, he gave her full power in the management of his daughters, whom their own mother was too lazy to seek to guide; and very indifferent credit did the greater number of these young ladies reflect on the system or the professors."

The Duchess of Berri lived openly with Riom, nephew of the notorious Lauzun; Mlle. de Valois was believed to be the mistress of Richelieu; and Mlle. de Chartres was one day fasting and weeping in a convent, and the next hunting, or shooting at a mark. The Princess Louise, who became Queen of Spain, and Mme. Elizabeth, Duchess of Lorraine seem to have escaped censure.

The Princess lectures her son on the imprudence of his conduct in exposing himself to such risks as he had incurred the previous evening, but he laughs her fears away as well as he can, adding—

"'These precautions, dear mother, serve to darken our existence and nothing else. It is for tyrants to tremble, but as for me, who, as St. Simon says, am the most debonair Prince of France since the days of Louis le Dèbonnaire, what have I to fear?' 'Ah, my dear child,' said the Princess, pressing his hands, and looking on him with all the tenderness her little eyes could contain, 'there would be nothing to fear if all knew you as well as I, and that it is out of your power to hate even your bitterest enemies; but Henry IV, whom you unhappily resemble in some unlucky particulars, was as good natured as you, and yet he found a Ravaillac. Ah, *mein Gott*, it is only good kings that are assassinated; the bad ones take care to keep the murderer and his poniard at a safe distance. You should never go abroad without an escort; you have need of the guards and not I.' 'Will you allow me to tell you a story of old times, Madame?' 'Willingly, as you can tell one very pleasant.'

'Well then, there lived in Rome, in some year or other of the Republic, a Consul as brave as a lion, but, like our good Henry and myself, something addicted to wandering. It happened that this Consul was sent against the Carthaginians, and by the happy invention of a warlike machine called a crow, he gained the first naval victory ever won for his country. He naturally hoped for some notice, and was not disappointed. On his return he was met outside the city by the entire population and conducted to the Capitol, where the Senate were assembled to do him further honour. In the full assembly, it

was then and there announced to him that the highest mark of honour in their power to bestow, and one which should be specially agreeable to any patriot, was about to be awarded him, namely, the privilege, whenever he walked abroad, of being preceded by a flute-player whose business was to announce, in his melodious notes, that 'this was the renowned Duillius the Conqueror of Carthage.' You may suppose, Madame, that the joy of Duillius was beyond belief on receiving such distinction. He returned home with his head in the clouds, preceded by his melodious herald, who exhausted his entire collection, to the joy and delight of the multitude who shouted incessantly 'Long liveDuillius; Long Live the Conqueror of Carthage; Long Live the Deliverer of Rome!' So intoxicating was this draught of public applause, that the poorConsul had like to get beside himself. Twice,in the same day,he went out, though without any need, merely to enjoy this musical and senatorial privilege, and to listen to the acclaim of the people. This occupation wore out the day in a state of joyful extasy, but at last the evening came, and the Consul recollected that he had to pay a visit to the lady of his heart, who lived in the Via Suburra. He accordingly took a bath, arranged his dress with care, threw some perfume over his person, and left the house on tiptoe, but he had reckoned without his host—I should rather say his musician. He had scarcely gone four steps, when this conscientious, but maladroit follower, who had attached himself to his person, night as well as day, jumped down from a post on which he had been taking a refreshing nap, and recognising his Consul, assumed his place in front, and blew his homage might and main. Those who were promenading turned round; those who had entered their houses ran to the doors; and those who had retired to bed, got to their windows in very flimsy attire; and all began to shout, 'Ah! here is our Consul Duillius passing; long live Duillius; long live the Conqueror of Carthage; long live the Saviour of Rome!' It was very flattering to be sure, but mighty inconvenient. So the Consul besought his herald to give his lungs a resp te, but he answered 'that he had received the most precise instructions from the Senate on the point; that he was receiving 10,000 sesterces per annum, and that while breath remained he would use it like a man of conscience.' The unhappy Consul finding he had to do with such a wooden headed satellite,commenced to run, hoping to escape his faithful tormentor, but the other so nicely regulated his pace, that Duillius gained nothing but hearing the music ten paces behind him, instead of the same distance in front. He doubled and turned like a hare, took mighty bounds like a stag, charged headlong like a wild boar; he might as well have remained quiet. The cursed genius of the flute seemed to chase both by scent and sight, so that the whole city, not understanding the reason of this nocturnal course, but learning that it was the hero of the day who figured so prominently in it, came into the streets, filled the doors, and peopled the windows, still shouting amain, 'Long live Duillius; long live the Conqueror of Carthage; long live the Saviour of Rome!' The hapless great man had still one hope in reserve, that the inmates of the lady's house might be asleep, and that through some fortunate pass he might escape his tormentor. Delusive hope! the universal

hub hub had even reached the Suburra, and when he reached that loved door where he had so often scattered perfumes, and suspended garlands, he found the house alive, the windows full, and the inmates repeating the now detested formula, 'Long live Duillius.' The luckless conqueror returned home in despair.

The next day he endeavoured to circumvent his guardian, all in vain: the following day he made another effort; just as useless: next day the same success: so that finding it hopeless to recover the comforts of a private life, he departed for Sicily, where, through spite and rage, he gave such a thrashing to the enemy, that it was supposed he had put an end to all wars, past, present, and to come. Rome prepared another fete for him equal to the commemoration of the founding of the city, and the Senate met to contrive some triumph, greater if possible than the former one. They were deliberating on the propriety of a public statue, when they heard shouts of joy outside, and Duillius himself entered, still attended by his incubus. Thanks to his speed, he had contrived to escape a public demonstration, but owing to the flute, there was still a very respectable crowd at his heels. Finding that the Senate were on the point of voting, he advanced in haste, crying out, 'O Conscript Fathers, will you promise me solemnly that the choice of recompense for my poor services may be left to myself?' 'Our intention,' said the President, 'is to make you the happiest man on earth.' 'But will you please to allow myself the selection of the peculiar honour?' 'Yes, by Jupiter,' cried the President, speaking for himself and associates. 'Well then,' said Duillius, 'if you feel that I have deserved well of my country, release me at once, and for ever, of this devil of a flute player.'

The Senate thought the request strange, but they had passed their words, and in those old times people abided by their engagements. The musician retired on half-pay, owing to the good character he had earned, and Duillius began to taste again the ordinary privileges of a private individual, and snapped his fingers at all the flute players in the universe.'

'And pray, my son, what has this story to do with my dread of seeing you assassinated?'

'Ah, my lady mother, if one flute player caused such annoyance to poor Duillius, what would I not suffer from a whole regiment of guards?'

The Duchess, after conferring with her son on a sudden whim which had seized on Mlle. de Chartres to become a nun, was leaving him when she encountered a little man in the anti-chamber, stuck into enormous travelling boots, and adorned with an immense fur collar, out of which came a little head with a sharp nose, mocking eyes, and the whole physiognomy partaking about equally of the fox and weasel. 'Ah, is it you, Dubois?' 'The same, your Highness, and I have this moment arrived after saving France.' (He had just returned from concluding the quadruple alliance at London.) 'Ah, yes, people must make use of poisons in certain maladies: you ought to know this, Dubois, you an apothecary's son.' 'Perhaps I did know it once, Madame,' said Dubois, in his usual insolent tone, 'but I have forgot-

ten it, 'tis so long since I have renounced my father's drugs to superintend your son's education.' 'No matter,' said the Dowager, laughing, 'I am pleased with your zeal, and will ask my son to gratify you with the next vacant embassy to China or Persia.' 'And why not to the sun or moon, Madame: you would be the easier about my return.'

As has been written, Dubois had just got the quadruple alliance compacted, in which the Emperor, renouncing all rights to the crown of Spain, as Philip had given up all claim on France, formed a bond of union with England, Holland, and France against Sweden and Russia in the north, and Spain in the south. So just and equitable was the basis on which the claims of the principal territories of Europe were then fixed, that, the empire excepted, they have remained so since."

A few words now about Dubois. The Regent in his youth had four governors, all of whom died soon after acceptation of office; so that the word went abroad that there was no such thing as rearing or raising a governor for him. Monsieur Saint Laurent succeeding these four tutors, and dying himself, according to order, left William Dubois to finish his royal but unlucky pupil. This substitute was the son of an apothecary at Brives la Gallardei, very much distinguished by the negligence of his parents, his mother having forgotten to get him baptized, and his father to get him taught his catechism. After a youthful escapade or two, he came to Paris and assumed the title of Abbé. Whatever evil example and indifferent precepts he exhibited to the future Regent, he seems to have given him always sound political advice, unless where his own personal interests were concerned. Ambition and avarice were his darling passions; in excess in eating and drinking he could not well indulge, owing to bodily infirmity.

Both he and his master are charged with infidelity, but the infidels were not a flourishing sect at the time; the number of self-convinced infidels has always been, and always will be, limited, thank God; and the truth is, that Philip was so given up to sensuality, and Dubois to his own besetting sins, that they wilfully or negligently let the spiritual affections of their souls lie fallow, and gave themselves up to the worship of the unclean Idols of their worldly and human propensities. Dubois has been drawn in the blackest colors by the gossiping Memoir writers of the time, and it is probable that he was as bad as he is described, but he still was human. He does not appear to have taken personal revenge in many instances; was good natured, in his way; loved the Regent unaffectedly, and was as insolent to the highest as the lowest. Being determined to have himself made Bishop, he

actually secured the interest of George I. with the Regent; and by a series of manœuvres, and to the very little honor of those who permitted the elections, was appointed Archbishop, and finally Cardinal. He never studied to acquire dignity of manner; frequently he burst into fits of rage on trifling occasions, swore fearfully, jumped on tables and chairs, and flung about the furniture. Complaining in a fury once, that with such a number of clerks he could not get his business half done, one of them suggested, that if he employed a clerk expressly to swear for him, half the number on pay would suffice.

All this time our hero has been kept out of sight, and worse than that, in the eyes of our lady readers, has lost his love, and no one has replaced her. Softly, madame. On the opposite side of the street he catches glimpses of a beautiful young lady who is always painting or embroidering, or reading or playing delicious music. The *Chevalier* has a harpsichord in his room and makes it discourse excellent melody. He has a great deal of time on his hands, and if the reader please to put these matters in an unprejudiced manner before himself, he will scarcely wonder that before *Bathilde* or *D'Harmental* have spoken a word to each other, they have fallen, through the ears and eyes, in love. *Bathilde* is the daughter of a brave young officer who had once saved the life of the Regent in battle, and had fallen in Spain in sight of his commander. Philip wrote a letter of consolation to the poor widow, authorizing her to apply to him in any emergency, but his stay in Spain was prolonged, and before he returned or that she could make her claim available, the poor heartbroken lady died, leaving little *Bathilde* to the sole protection of a good, simple-minded writing master, who lived in the same house with them. He is the finest ornamental writer in Paris, but a complete ninny in every other thing, and has employment in the Royal Library, ticketing and arranging books. One fine morning he finds his salary suspended; some of his colleagues, to whom the same unpleasantness occurred, quitted the place in disgust. Not so our friend *Buvat*, he gives his labor gratis till the Government becomes able to pay him his small stipend, and works early and late at private tuition to support *Bathilde* in a style befitting her birth. He never breathes a word of his embarrassment in her presence; but, with the instinct of a noble nature, she finds out the truth, and then, by a little kind deception practised on her good natured and devoted guardian, she turns her proficiency

in drawing to account, and comfort is again restored to their household. We regret that space does not permit us to translate some passages describing the simplicity, goodness, and self-denial of poor *Buvat;* with the excepion of *Dominie Sampson*, alone, there is scarcely a finer character in fiction.

The Duchess of Maine now sends her emissaries into the distant provinces of France, and to Savoy, to secure the co-operation of the notables, for the design alluded to above—the calling together of the States General, the promotion of her husband to the Regency, and the supplanting of Philip, even by force, if necessary. A manuscript letter from Philip of Spain to his nephew Louis XV, conveyed to his royal hands through Marshal Villeroy, his tutor, and recommending the convocation of the Estates, was to be the chief instrument in the design.

Our *Chevalier* is sent into Brittany on this business, and upon his return to Sceaux, finds a festival about to be celebrated, in which the Duchess was to hold a chapter of the order of the Honey Bee, herself being the Sovereign. The chapter is merely a blind, as the object is to receive the reports of the different envoys without exciting the suspicion of the Regent's party. This is adroitly effected after the chapter is held, and the noble company has come out to promenade in the illuminated gardens. A Greenland landscape is seen on the island of the lake, up the avenue approaches a triumphal car, into which the Duchess is invited to enter by quaintly attired inhabitants of that cold country. She is drawn to the edge of the water, over which she and the newly made knights pass on a broad plank; this temporary bridge sinks in the water as soon as the cortege has passed. All take refuge in a comfortable grotto, and every emissary produces the names and engagements of the various great personages secured to the cause on his late journey, and the Baron de Valef produces an autograph of Philip V, in the shape of a letter to young Louis, in unison with their wishes. Nothing is now wanted but the adhesion of the Duke of Richelieu, and even he presents himself at the eleventh hour. He was indulging the company with the ridiculous cause of his delay, when he was interrupted by the Duchess:—

"'May I beg to remind you, Duke, that we are assembled for a serious purpose.' 'Ah, yes, we are forming a conspiracy, is it not so?' 'Have you already forgotten?' 'By my faith, Madame, as a plot is not the gayest thing in the world, I keep it out of my mind

as much as I can, but when needs must I am not the less your man. Now, Madame, what point in the conspiracy are we at?' 'Look at these letters and you will learn at once.' 'Excuse me, Madame; my powers in writing and reading manuscript are undeveloped; I never even read letters addressed to myself. I have a pile of seven or eight hundred of the most charming notes still un-read, laid by for the solace of my old age. Now, Malesieux, you, who are lucidity itself, give me the substance of these hieroglyphics.' 'Well, Monsieur le Duc, these are the engagements of the Breton nobles to support the claims of his Highness.' 'Very well.' 'This paper is the protest of the nobility.' 'Ah, let me have that document; I also protest.' 'But do you know against what?' 'Oh, deuce a matter, I love to protest.' 'This letter is from the royal hand of Philip.' 'Very good, parbleu, his Majesty writes a worse hand than myself. How I'll triumph over that rogue Raffet (his secretary-valet) who says the thing is impossible.' 'If the letters are badly written the words are to the purpose: it requests the King to summon the Estates General.' 'And are you sure of these same Estates General?' 'This protestation secures the nobility: the Cardinal (Polignac) answers for the clergy.' 'And the army?' 'I,' said Count Laval, 'make that my affair. I have thirty-two colonel's commissions in my portfolio.' 'Then I,' said Richelieu, 'answer for my Regiment stationed at Bayonne.' 'In that case you must be prompt, for there are orders about to be given for a change of garrison.' 'Paper and pens at once.' And receiving them from the fairy fingers of the Duchess, he penned the following epistle.*—

"'Monsieur le duc de Berwick, pair et Maréchal de France,

"'Comme mon regiment, monsieur, est des plus à portée de marcher, et qu'il est *après à faire un abillement*, qu'il perdrait totalement *sil*, avant qu'il fût achevé, il ètait obligé de faire quelque mouvement

"'J'ai *l'honeur* de vous *suplier*, monsieur, de vouloir bien laisser á *Baionne jusqau comencement* de mai que *l'abillement* sera fait, et je vous *suplie* de me croire avec toute la considération possible, monsieur, votre trés humble et trés obéissant serviteur,

Duc de Richelieu.'

"'Now, Madam, read this,' said he, passing the paper to the Duchess. 'Provided with this caution the Regiment will not stir from that border town.' The Duchess, after reading the ill spelt missive, passed it to her neighbour, and thus it made the tour of the table. Happily for the writer, his critics were too noble minded to object to a letter more or less in the spelling."

A difficulty arising about having copies of the necessary papers made with safety and secrecy, the Abbe Brigaut assures

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* This, and the autograph letter of Philip, and other curious documents of the time, are copied into the work under review from the originals.

them that he has a jewel of a copier in his eye, (our friend *Buvat*) who has the privilege of transcribing reams on reams without being a single idea the better from the operation: however, that for the greater safety, and for the convenience of the Spanish King who was to inspect them, it was resolved that the originals should be given to *Buvat* in the Spanish language.

Mme Bury, an opera singer, dressed in a black robe sprinkled with stars, to represent the goddess Night, was to sing a certain ode in honor of the fairy queen of Sceaux, when the ducal party were returning to the shore. The singer, however, being taken ill, *Bathilde* is persuaded by her friend, *Mlle de Launay*, to go through the part: this she does very well until she sees her modestly dressed student-lover, now in a nobleman's attire, handing the Duchess of Maine from the boat. The song breaks off, she utters a cry and faints, while the *Chevalier*, little suspecting her presence, passes on. She gets herself conveyed home at once on recovering, and when *D'Harmental* eagerly opens his window next morning, he observes but a blank prospect of closed shutters.

Next the reader has to go through the regular series of misunderstandings, and attempts at explanations which make matters worse than before; but as the progress of the loving part of the story is as innocent as if imagined by the authoress of the *Children of the Abbey*, or as if the lovers were *Edward Waverley* and sweet, but cool, *Rose Bradwardine*, they will probably find some mode of reconciliation the care of which may be left to themselves.

And now *D'Harmental* introduces himself formally to *Buvat*, and recommends him to the *Prince de Listhnay*, (a valet of the Duchess's assuming that title for the nonce) and poor *Buvat* is happy as a negro, or an Irishman, on a holiday,—copying the Spanish documents in his spare hours. In going through his work mechanically, a forgotten sheet, written in good, plain French, falls under his astonished eye, and he finds a complete outline of the conspiracy. Now, it was not to be thought of, that he, a well wisher of the Regent, and a government official besides, should be aiding and abetting a plot of the kind: but to denounce the Prince, by whom he was so well paid, and the noble and friendly *Chevalier*, (he little suspected how dear he was to *Bathilde*) could not be even contemplated. In a miserable state of indecision he repairs to his usual business at the Royal Library, but the very titles of

the works as he labels them, and the chance words of his colleagues, complete his wretchedness. He reads:—

"*The Conspiracy of M. de Cinq Mars, With an Account of his Death and that of M. de Thou Condemned for Non-Revelation;* the very crime of which Buvat might be found guilty and beheaded, no, not beheaded, but hung, not being a privileged noble;—he would instantly reveal all;—but to be an informer;—abominable! but then again, to be hung, and Bathilde left destitute;—worse still! 'What are you doing there, with your arms crossed and your little eyes looking so wild?' 'I—I—I am thinking of a new conspiracy—ah! I mean classification of the books.' 'Oh ho! Mr. Buvat, you are then planning a revolution in our little domain.' 'A revolution! God forbid! Every one knows my devotedness to the Regent;—a revolution indeed!' 'But what ails you to-day, Buvat; you are unloosing your cravat as if it was going to strangle you. Well, well, just as you like; take off your coat if you wish, no one here cares about the matter.' 'Beg pardon, I did it without thought,' and laying *Cinq Mars* aside, he placed his hand next on *The Art of Plucking a Fowl Without Making it Cry.* This put him in mind of writing some receipts for his housekeeper as the money was now coming in, but the money brought to his mind, in succession, Prince de Listhnay, the Plot, Buvat's own handwriting, Buvat arrested, Buvat hung, Bathilde left an orphan. 'Oh! *(writes) The Art of Plucking a Fowl Without Making it Cry: Paris,* 1709; *Rue de Bac,* 110. Oh the rascals! See, I have put the Prince's address on the ticket; I'll really lose my senses. *Conspiracy of the Chevalier de Rohan.* Oh murder, what will become of me! I can lay my hand on nothing but conspiracies. What is this? *Copy of the Plan of Government Found in the Hand-Writing of Van den Enden;* just my own case. I'll faint. *Procès Verbal of the Torture of François Affinius Van den Enden;* and the unhappy Buvat, under the horrible fascination of the objects of his terror, gets one of the clerks to read the whole of the punishment, Brodequins and all."

At the conclusion he sinks exhausted, but again roused by despair, he seizes on his papers, rushes off to Dubois, gives up the fatal scrolls, and finally, under the press of mental torture, reveals the assumed names of his employers, on Dubois threatening to send *Bathilde* to a House of Correction. A plan is now laid to catch the conspirators in flagrante delicto. The Duke of Richelieu has used his influence over the Duchess de Villeroy; she ensnares the Duke, and on a certain day he is to present the young King with the autograph of Philip. The reader has been already informed that this nobleman was a very indifferent soldier; of his political rectitude here is a specimen, and let the kind and delicate reader pardon a little circumlocution in telling the story. A certain worthy fore-

runner of Sir Francis Head, and Titmarsh, a Mr. Twiss by name, once executed a tour through Ireland, and wrote so uncomplimentary an account of the country and its denizens, that an indignant native, in the pottery line, had his effigies faithfully depicted, and impressed on the concave portions of certain domestic utensils, never named in polite assemblies, accompanied by a distich not intended for public perusal. Villeroy's advice to a political student was, not to despise the office of tendering the article, such as bore Mr. Twiss's portrait, to any court favorite, in case of need; but if he had lost, or was about to lose cast, not to scruple reversing it on his head. A song was current in the Duke's honor at the time, and this was its refrain—

"Villeroy, Villeroy,
A fort bien serve le roy
Guillaume, Guillaume, Guillaume." ....

An interesting and pleasing account of the interview between the Regent and the young King follows. Towards the conclusion, and after a package of toys has been inspected, Philip invites his Majesty to accompany him into his office to examine some state papers. Villeroy, who has just arrived, insists on his own right to accompany his royal pupil, and carries his persistance to the point of *Leze-Regency*, this being the very thing desired. Our old friend, *D'Aartagan*, of the musketeers, takes charge of the angry Duke, his person is examined, and the autograph of the Spanish King, and other damning documents found. The party of the Duke of Mayne is thrown into confusion, and several are arrested, the Prince of Cellamane's papers seized, and himself sent home. Now, the *Chevalier D'Harmental*, and three or four devoted friends of the Duchess of Maine, determine on having recourse to the original plan: they seize on the Regent in his coach, in the wood of Vincennes, as he is returning from a state visit; they turn the horses heads and drive southwards. Their progress is unexpectedly stopped, however, at a cross road in the wood, by an armed force, in front and at the sides. The other conspiritors escape, but the *Chevalier*, who is mounted on one of the horses, strives to break through the lines: his steed is disabled and rolls over with him; he is taken, imprisoned, examined, and threatened with the torture, but nothing can induce him to criminate his confederates; he ascribes his act to personal resentment. He is doomed to the axe, and at the last, petitions the Regent that the marriage ceremony may be per-

formed between himself and *Bathilde*, in order that he may bequeath his name and some property to her. *Bathilde*, on her side, moves all her friends that she may obtain an interview with the Regent: it is granted after some difficulty, through Mlle de Valois, and *Bathilda* presents the letter sent by him long ago to her mother, on the occasion of her father's death. He makes no direct answer, but writes a few lines on a scrap of paper, and gives it to a chamberlain: this official conducts *Bathilde* to the Bastile, where, under very gloomy auspices, she meets again with her lover; they are married, and conducted to a carriage after the ceremony, and now joy fills *Bathilde's* heart, as she supposes she will be allowed to share her husband's confinement, wherever they are going to conduct him.

The carriage still rolls on and they are out of Paris: it stops at last, and the coachman opens the door to know their further commands. On looking out *D'Harmental* recognises the spot where he was seized when carrying off the pretended Regent, for, after all, it was only one of the Regent's servants, their plot having been detected by the agency of La Fillon. The lovers are at liberty, though rather out of place on their wedding night, and this was the only revenge taken by Philip. In a few years *Buvat* is happy, teaching a fine boy and girl to write,—the first copy piece was—"PHILIPPE D'ORLEANS."

The Chevalier de Mesnil destroyed, at his own risk, a paper compromising several persons connected with the plot, and, by so doing, acquired the Regent's respect instead of his resentment. The poet, Lagrange Chancel, who had, in his *Philippics*, heaped every abomination on the Regent's head, including the poisoning of his royal charge, was summoned to the Palais Royal after all was over, and asked whether "he believed the calumny he had uttered." "Certainly," answered he, "or I would not have written it." "I spare your life, that being the case," said the Regent, "otherwise you should pay the penalty of a wilful falsehood." The poet was sentenced to a long imprisonment, but soon released, as the report spread that he was wasting away from the effects of slow poison. Dubois was furious, but Philip held firm, and only hummed the refrain of a song made on him by St. Simon—

"Je suis débonnaire, moi,
Je suis débonnaire."

Had the Regent possessed a few more virtues, he would be one of the best and greatest men of the past history of France.

There are a few slight discrepancies between the historical facts and the story. In *fact*, the principal documents of the plot were been seized at Poitiers, on the road to Spain; and the arrest of Villeroy took place later in the Regency, on occasion of a quarrel between him and Dubois.

Amongst the court characters of the time there is scarcely a truly worthy personage to be recognised but the Regent's mother, and the Duc de St Simon, the chronicler of the private life of the court, and devoted friend of Philip—though as unlike him in character as could be, St Simon being devout, and of unblemished reputation. Want of space prevents our dwelling on the extravagance and loose morals of the Duchess of Berri, and her occasional fits of devotional penitence, and of the real christian courage of the Curé of her parish, who would not administer the sacraments to her, nor suffer any strange clergyman to do so, till she would dismiss Riom, her paramour, and the vile Madame Mouchy. Four Breton nobles were beheaded at Nantes in consequence of this conspiracy of Cellamare; and the Duke of Berwick was sent to fight against Philip of Spain, after having defended him so well some dozen years before.

The evil lives of the Regent and his court were even exceeded in the following reign, till the accumulation of the wickedness of the higher classes became intolerable, and society was convulsed by the explosion of 1793, and the innocent and worthy children were punished for the sins of their sires. So certain is it that no one can do wrong, and say that others will not be injured. There is a common interest in the human family, and as individual good deeds benefit the community more or less, according to their magnitude or quality, so, from a vicious state of any society evil influences spread around, (like the waves in a stream after any part is locally disturbed, and the remotest portions of society feel the bad effects.

The story under review is one of the best of the firm of Dumas and Company, as regards pleasing incident, elaboration of character, and avoidance of unhealthy topics. If we have excited interest in our readers for the after fortunes of the personages of our sketch, there are abundant memoirs and histories extant to satisfy all curiosity.

Art. V.—REFORMATORY AND RAGGED SCHOOLS.

1. *Reformatory Schools, For the Children of the Perishing and Dangerous Classes, and for Juvenile Offenders.* By Mary Carpenter. London: C. Gilpin. 1851.
2. *Draft Report by Sub-Committee of Rural Police of County of Aberdeen, on the Causes of the Recent Increase of Vagrancy and Crime in the County.* By Alexander Thomson, Esq. Banchory House, Aberdeen. Aberdeen: D. Chalmers and Co., 1852.
3. *Aberdeenshire Reports on Juvenile Delinquency,* 1845, 1848, 1851. Aberdeen: D. Chalmers and Co. 1851.
4. *Social Evils: Their Causes and Their Cure.* By Alexander Thomson Esq. of Banchory. London: James Nisbet and Co. 1852.
5. *Letter to M. D. Hill, Esq. Recorder of Birmingham, on Juvenile Ragged Industrial Feeding Schools.* By Alexander Thomson, Esq. Aberdeen: 1853.
6. *Report on Sheriff Watson's Female Industrial School, for the Year* 1853–4. Aberdeen: D. Chalmers and Co. 1854.
7. *A Bill for Making Provision to Prevent and Suppress Juvenile Delinquency, and to Regulate Reformatory and Industrial Schools for Juvenile Offenders and Vagrants, and for Other Purposes Relating Thereto.* Draft Bill for Scotland. 1854.
8. *Charge of the Late Mr. Justice Talfourd, Delivered to the Grand Jury of the County of Berkshire, at the Lent Assizes, Held in Reading, on Monday, 27th February,* 1854: Reported in "The Berkshire Chronicle," Saturday, March 4th, 1854.
9. *Second Annual Report of The Dublin Ragged School, Broomer and Messenger Society, for the Year* 1853. Dublin: W. Porteous. 1854.
10. *Second Annual Report of The Mill-street Ragged Schools, Dublin.* Dublin: W. Espy. 1853.
11. *First Annual Report of the Committee of Management of the Male and Female Ragged and Sunday Schools, 27, Townsend-street.* Dublin: R. D. Webb. 1854.
12. *Report of the Ragged Schools, Lurgan-street, (Lately Church-street,) Dublin.* Dublin: Brady. 1853.

13. *First Annual Report of the Ragged School Dormitory, No.* 31, *Chancery Lane.* Dublin: W. Espy. 1854.
14. *Second Annual Report of the Committee of the Catholic Ragged Schools, ending, May* 31*st*, 1853, *adopted at the Annual General Meeting, held in the Church of St. Paul, on Sunday, June* 19*th*, 1853—*His Grace the Lord Archbishop of Dublin Presiding.* Dublin: Fowler. 1853.
15. *Copy of a Proposed Memorial Sent by the Preventive and Reformatory School Committee, to the Committee of the Ragged School Union, for their Consideration before being Presented to the Lords of the Privy Council.* Printed for Private Circulation. 1854.
16. *Two Prize Essays on Juvenile Delinquency.* By Micaiah Hill, Esq. and C. F. Cornwallis. London: Smith, Elder and Co. 1853.
17. *Meliora: or Better Times To Come. Being the Contributions of Many Men Touching the Present State and Prospects of Society.* Edited by Viscount Ingestre. 1st series. 2nd Edition; and Second Series. London: J. W. Parker and Son. 1852-3.
18. *A Place of Repentance; or an Account of the London Colonial Training Institution and Ragged Dormitory, for the Reformation of Youthful and Adult Male Criminals, Great Smith-street, Westminster.* By Samuel Martin, Minister of Westminster Chapel. Second Edition. London: James Nisbet and Co. 1852.
19. *Chapters on Prisons and Prisoners, and the Prevention of Crime.* By Joseph Kingsmill, M. A., Chaplain of Pentonville Prison. London: Longman and Co. Second Edition, 1852—Third Edition, 1854.
20. *The Philosophy of Ragged Schools.* London: Pickering. 1851.

In our two former papers, on the moral and social condition of the poor classes in these kingdoms,* we devoted our chief attention to the various causes which are proved to have conduced to demoralize the once virtuous, and which are shown to have rendered more depraved the vicious. In the latter of these

* See IRISH QUARTERLY REVIEW, Vol, III. No. 10, p, 299, Art. "The Garret, The Cabin, and The Gaol."—and Vol. IV. No. 13. p. 1, Art. "Our Juvenile Criminals:—The School Master or The Gaoler."

papers we stated our intention of returning to the discussion, then but slightly entered upon, of the important results which have sprung, and which yet may arise, to the Nation, and to Christianity, through the establishment, and from the extension, of Reformatory and Ragged Schools, in all their branches, and from the more general adoption of the Separate System, wisely conducted, as at Reading, into our common prisons.

It is the characteristic of the English Nation that they are slow to adopt great fundamental changes, even though these changes, which they consider theories, are but the well proved facts of other countries. Doubtless, as a compensating quality in the national mind, our people do, when they have once discovered the true value of a principle, endeavour heartily to secure the full benefit of the system, thoroughly and throughly, in all its complete integrity. To this peculiarity of the national mind, we may attribute the fact, that whilst the child criminals—"the city Arabs, the home Heathens"—of our towns, could be secured from future crime, and enabled to support themselves by a trade, at a cost of £8 15s. per annum, in the Reformatory and Industrial Schools, we pay for them, per annum—

In the Poor House ...	£10
In the Gaol	£20
In the Convict Settlement and for cost of Prosecution	£143.*

Because our people could not be induced to consider the wonderful results of the Separate System, we have sent, and we still send, offenders, young and old, to live in the common prison with those who make the day room but a scene of bad example, and the dormitory a pandemonium. Because our people cannot be made to understand the advantages of the Separate System, and the ruinous disadvantages of the old gaol-packing custom—because they have, with wonderfully stolid pertinacity, supported in the ordinary class of gaols a system of which the result is continued re-committal, ending in transportation, and

* See "Report on the Discipline and Management of the Convict-Prisons, and Disposal of Convicts, 1852." By Lieutenant Colonel Jebb, C.B. Surveyor-General of Prisons, Chairman of the Directors, &c.

entailing for prosecutions, before the final one, £20 each,—for the final frequently £200, the tax-payers have been mulcted.

If, indeed, it could be shown that the Reformatory School and the Separate System were futile in their results, or if the expense were more enormous than that in which the Nation involves itself by an adherence to the present plan, we could understand the objections which have been urged against the advocates of the principles for which we contend, but we have shown elaborately in a former paper,* and we have above indicated, by facts and figures from authoritative sources, that the latter of these objections is groundless, whilst in the paper to which we have last referred, we have proved—in our present we shall prove—that the first objection is equally, if not more, untenable.

It has been said that Reformatory Schools unfit the pupils for the rough life which must be encountered in "the iron realities" of their world, and that Separate Systems render the cunning hypocrites, and the simple "reformed fools." These are grave and startling objections, and, if true, should be to every honest mind more than sufficient to render the School and the System fitted to receive the most determined reprobation. Both the objections, however, are founded in prejudice or misconception; and although Reformatory, Industrial, and Ragged Schools, and the Separate System of imprisonment are now becoming more generally recognised, and more clearly understood—and to recognise and understand these principles is to adopt them—yet as many of our readers may be unacquainted with these two great schemes which we advocate, we shall give the history, the progress, and the present position of Reformatory Schools, and of the Separate System, in these Kingdoms.

It has been well and truly observed, by the most distinguished advocate of education in our time—the Right Hon. Thomas Wyse—"That education should be in harmony with the wants and prospects of the individual, is a truth which no one thinks seriously of contesting. When applied to Nations, the case alters; it is either questioned or neglected. The reason is obvious. Men understand tolerably well their own inmediate interests. It is a matter of somewhat more difficulty to judge

* See IRISH QUARTERLY REVIEW, Vol. IV. No. 13. Art. "Our Juvenile Criminals:—The School-Master or The Gaoler."

of the remote interests of a Nation." These observations are, doubtless, true, but the interests involved in the systems forwhich we contend are not "the remote interests of a nation," but identical with the interests of every man, as if they were those of his own household. It may be that we are only now learning these truths, but to other nations they have been, long since, patent facts. And strange as it may seem, it is undoubtedly true that Reformatory Schools in Prussia, in Holland, in France, and in these Kingdoms, have sprung from the energetic philanthropy of private individuals. The Dusseldorf School owes its origin to Count Von der Reck; the Rauhe Haus of Hamburgh was originated by a humble man named Wicheren; Mettrai sprang from the benevolence of the Viscomte de Bretignères de Courteilles, and M. Demetz, Conseiller à la Cour Royale de Paris; the Aberdeen Industrial and Feeding Schools owe their origin to Mr. Sheriff Watson, and their ultimate success to that estimable gentleman, Mr. Alexander Thomson of Banchory House; whilst the London Colonial Training Institution and Ragged Dormitory owes its present position to the unswerving attention and devoted energy of Mr. Nash.

The Dusseldorf School is the oldest of these Reformatory Institutions; it is situated at Dusselthal Abbey, on the right bank of the Rhine, and is a refuge for poor outcast children. In the year 1816 Count Von der Reck, a Prussian nobleman, devoted himself to the care of these children. Napoleon's wars had made many helpless orphans, and the Count and his father thought it right to receive a certain number of the children in their neighbourhood, who subsisted by begging and stealing, into their own house, where they were instructed in the common branches of education and useful trades. Finding the result of their plans satisfactory, and believing that its usefulness was capable of more general extension, provided proper accomodation were afforded, the old Count prepared, for the reception of the children, a large and commodious house; and as the results of the system became more developed, the father and son gave up their private fortune to support their school, and secured the aid of many friends.

The early history of this school, like that of all others of its class, shows troublesome and pertinaceous wildness on the part of the pupils, and displays indomitable perseverance in the patrons. Some of the pupils stole away from the school and remain hidden in the woods until driven back by hunger: one boy had, from

his veriest childhood, lived by assisting a Wesphalian swineherd. He loved to talk of the animals and their ways; he had lived amongst them, slept amongst them; when hungry had eaten the raw green herbage, and when thirsty had sucked the milch sow. And yet this boy, so wayward and savage, was, by kindness and judicious teaching, made useful in drawing the water and in cutting the wood for the establishment, and finally he learned to read.

In the year 1844 the inmates of Dusselthal amounted to 220 persons, treated as one family. Count Von der Reck lived amongst them as a father, "taking the most lively interest in every thing that concerns their welfare, bodily or spiritual—he shares their joys and sorrows, pointing both to the same great end."*

The Rauhe Haus, of Hamburgh, is an imitation of the Dusselthal Institution, and was founded on the 1st of November, 1833, by J. H. Wicheren, who, with his family, took possession of a small, one story, straw-roofed house, near the village of Horn, and about three miles from Hamburgh. Attached to the cottage was an acre of land, half covered with bushes and hillocks, and intersected by ditches. About a week after Wicheren and his family had taken possession of the cottage, fourteen young criminals, varying in ages from five to eighteen years, were its inmates. These boys were old in crime, and one of them, though but in his twelfth year, had been officially convicted of ninety-three thefts. The boys had been "treated or regarded as a species of human vermin, baffling the power of the authorities to suppress." Like our own "City Arabs," they had slept in cellars, in ruined houses, and under doorways: they, like our "Home Heathens," had learned no law save that of nature, but they were taught by Wicheren that *his* house was *their* house, that *his* food was *their* food, and, as has been well and truly written, "the feeling of home came warming into their hearts, like the emotions of a new existence, as he spoke to them, with his kind voice and eyes, of *our* house, of *our* trees, of *our* cabbages, turnips, potatoes, pigs, and geese and ducks, which *we* will grow for *our* comfort."† The boys worked energetically and willingly; and so

* See "Illustrations of Faith," London: Nisbet and Co., 1844.
† See "Oberlan Tracts," No. XII. See also, Horsell and Elihu Burritt's "Bond of Brotherhood." April, 1851.

determined were they to make Wicheren's, and *their* property productive, that they frequently labored by lantern light in the evening, rooting up bushes and trees, even though it rained or snowed. In the year 1851 there were seventy boys, and twenty-five girls, in the Rauhe Haus; these were divided into four boy families and two girl families;—the sexes varying, in age, from eight to sixteen years.

It can scarcely be necessary to offer any explanatory observations upon the utility of the Dusseldorf and Rauhe Haus Institutions; indeed, so evident were the merits of the system, that La Colonie Agricole, at Mettrai, in France, was founded upon the system as developed in these schools,—having, like them, for its aim, to restore to society, as honest and useful members, those who have subjected themselves to punishment: Mettrai has, however, for its peculiar object, the substitution of the discipline of a school and family for that of a prison.

By the 66th Article, of the French Penal Code, it is decreed—"That when the accused party shall be under sixteen years of age, if it be decided that he has acted 'sans discernment,' he shall be acquitted, but, according to circumstances, shall be returned to his parents, or sent to a House of Correction, to be there educated and detained for as many years as his sentence shall appoint; provided always, that the sentence shall not extend beyond the period that the boy shall attain the age of twenty years." With the power which this Article of the Penal Code gave to the advocates of Reformatory Institutions, M. Demetz, and the Viscomte de Bretignères de Courteilles succeeded, in the year 1839, in establishing La Colonie Agricole, at Mettrai.

It will have been perceived that this institution is intended to promote the reformation of offenders, under sixteen years of age, who may have been sentenced to periods of imprisonment which shall not extend beyond that time when the culprit shall complete his twentieth year. The difference between the Mettrai Colonie and our Parkhurst Institution is, that the former is intended for the amendment of those who shall be the future citizens of France,—the latter is devoted to the reformation of those Juvenile Convicts who there suffer a reformatory probation, previous to their transportation to a Convict Settlement. In Parkhurst, the system is one in which is combined the rigor of a gaol with the care of a school; in Mettrai, the

system is one founded in kindness, and having, as its highest aim, to instil religious principles into the minds of the convicts; its chiefest care, next to this, is to teach all in the institution that happiness and prosperity are best secured by honest and unflagging industry.

The school has, since its opening in the year 1839, received about nine hundred and fifty boys, and the usual number in the school is four hundred, arranged into families of forty in each,—thus adopting the plan of the Rauhe Haus. Over each of these families a master and two assistant masters are placed. Each family resides in a distinct house; and except during the hours of work, play, prayers, or other occasion of assembling, has no association with the other portions of the establishment. The guardianship and care of the master, or as he is called "Iæ Perè," may be considered individual, as he, and his assistants, associate and live with the boys, and share even in their amusements. Each head master is personally responsible for the care of forty boys under his especial charge. The boys know this to be the case, and look upon him as a friend and tutor, rather than as a schoolmaster or gaoler. The moral effect of this identification of interest and feeling is as evident at Mettrai as at the Rauhe Haus, and has resulted in the custom of employing some of the elder boys to maintain the discipline and order of the establishment. For the purpose of assisting in the regulation of each family two boys, called "Frerès ainés," are elected monthly, by the votes of the other members of the family, and by the sanction of the master. The boys are also permitted to name those who are to receive rewards for good conduct; and their conscience is appealed to when any are to be punished. From the peculiar nature of the school, and the class of whom its pupils are composed, it is thought advisable that no fault, however trifling, shall be overlooked. The punishments are,—compelling the boy to stand apart from his companions, privations of meals and recreations, admonition in the private room of the Director,—imprisonment in a light or dark cell, with or without dry bread and water diet. The highest punishment is expulsion, which means being sent back to the prison whence the offender was received: corporal punishment is entirely forbidden.

Instruction is imparted, but it is of that class such as an ordinary laborer may be assumed to possess—namely, reading,

writing, and ciphering. Information, however, of a more comprehensive character is secured for those who may merit it, and some of the advanced boys are instructed in geography and drawing, and all are taught music, whilst industrial training occupies a considerable portion of every day. The masters endeavour to keep the boys continually occupied; four hours are devoted for meals, recreation, morning and evening prayers, dressing; and one hour is devoted to study; whilst in accommodation, dress, and food, all the inmates, officers and pupils, are treated in precisely the same manner; cleanliness, wholesomeness, and plainness, being the chief objects.

Of five hundred and twenty-one boys who had been received, from the opening of the establishment in 1839 to the summer of 1842, seventeen had died; twelve had been sent back to their prisons for misconduct, and one hundred and forty-four had been placed out in various situations in the world. Of these one hundred and forty-four, seven had relapsed into crime, nine were of doubtful character, and one hundred and twenty were conducting themselves to the entire satisfaction of the Directors.

Much of the success of Mettrai is the result of the excellent system adopted by M. Demetz, who commenced the conduct of the Institution aided by masters, and by young assistwhom he had trained for some months in a Normal School of his own foundation. So high an opinion has been formed of this School from its practical results, that it still remains attached to the Colony, and has always upon its foundation twelve or eighteen pupils, preparing to replace the masters, as these may leave Mettrai for similar establishments in other parts of France.

The influence of Mettrai extends far beyond its limits. Farmers and tradesmen are so anxious to obtain boys from the school, that the applications are far more numerous than can be supplied. When a boy is placed with a farmer or tradesman, which event generally takes place after a three years residence in the Colony, some gentleman in the neighbourhood, and who is called his "Patron," is induced to watch over his welfare, and to report to the Directors twice a year upon his conduct; the heads of this report are copied into a list which is suspended in the large school-room. Should the boy conduct himself well, upon reaching his twentieth year he is presented with a ring, on which is engraved an appropriate

motto; but should he turn out ill, before he completes his twentieth year, he is taken back to the colony for a further trial, or sent to the prison whence he first came, and where he continues until the expiration of the period for which he was originally sentenced.

These great results were achieved by M. Demetz, and the Viscomte de Bretignères, aided latterly by the Viscomte de Villiers, a nephew of the Viscomte de Bretignères. The Patrons began the reformation at their own sole risk, supported only by a few friends, who were called the "Société Paternelle," as the head of which presided the Comte de Gasparin, a Peer of France; but now the Colony is recognised by the state, is spreading its minor institutions throughout the whole extent of the empire, and has received the distinct and marked approbation of the Government Inspector.

Mettrai is valued as it merits by the French people, and its pupils are anxiously sought for by those who require the services of the boys; but the pupils of the Rauhe Haus have been public benefactors. During the fire which some short time since took place in Hamburgh, the boys of this school requested the President to allow them to assist in checking the ravages of the conflagration; they were permitted to assist; they acted steadily, courageously, and in a manner so orderly, that the public thanks of the city was voted to them for their meritorious services during the fire, and for having given up their beds and bedding to those who were rendered destitute by the calamity. Thus we can understand that whilst the Reformatory School is calculated to make the reformed virtuous and industrious—it also renders them benevolent Christians—feeling that all men are to them, as they themselves were to those who drew them from crime and misery, to teach them the law of charity, and peace, and hope.*

Upon the peculiar advantages of the system as pursued at Mettrai we shall dwell more fully when comparing it with that of Parkhurst,—but we would here observe that the former is essentially a school, the latter is nothing more than a

* For a further account of Mettrai, see a pamphlet, written by Monsieur A. Cochin, or its translation, by the Rev Mr. Hamilton, Chaplain of Durham Gaol, and published by G. Whittaker, London. The last account of the Rauhe Hans, is that furnished by George Benson, Esq. to the Committee on Criminal and Destitute Juveniles, 1853, and published in their Report to the House of Commons.

prison, with walls and sentries. In Mettrai the masters and assistants are capable of understanding and discharging all the duties of their office, and no attempt at escape has been made since the foundation of the institution: from Parkhurst the boys have frequently attempted to escape, and the Chaplains and Governor express their opinion that a higher class of officers is desirable—"for instance, schoolmasters, in whom are combined the vigilance and discretion which are essential for the safe custody and discipline of prisoners, with the attainments necessary for industrial training." But, knowing the penny wise and pound foolish principle upon which all Reformatory Systems are carried out in these Kingdoms, Lieutenant Colonel Jebb adds—"*such men cannot at present be found in sufficient numbers, nor could such varied qualifications be commanded without giving a very high rate of salary.*"*

Having thus sketched the history of Reformatory Schools upon the continent, and premising that the great American nation has most anxiously and earnestly adopted their systems, we shall now proceed to enquire into the position and prospects of Reformatory Schools in the United Kingdoms; and if this enquiry shall prove that little has been accomplished, the fact should induce all men to aid heartily in the cause; and those who know the real history of the rise of Reformatory institutions will appreciate the truth of Mr. Thomson's remark, "The struggle has been long, and in some respects arduous—from the difficulty of rousing the public mind on the question—but now victory seems certain, and not far distant."†

The earliest Reformatory Schools known in England, and of which the Ragged Schools are imitations, were the Sunday Schools founded, in the year 1781, by Robert Raiks of Gloucester, assisted by the Rev. Thomas Stock; and of their origin Mr. Raiks gave the following account, in a letter addressed by him to Colonel Townley, in the year 1783:—

"Some business leading me one morning into the suburbs of the city, where the lowest of the people (who are principally employed in the pin manufactory) chiefly reside, I was struck with concern at seeing a group of children wretchedly ragged, at play in the street.

* See "Report on the Discipline and Management of The Convict Prisons and Disposal of Convicts, 1852."—Parkhurst Prison Report, p. 90

† See "Letter to M. D. Hill, Esq. Recorder of Birmingham, on Juvenile Ragged Industrial Feeding Schools." By Alexander Thomson, p. 2.

I asked an inhabitant whether those children belonged to that part of the town, and lamented their misery and idleness. 'Ah! sir,' said the woman to whom I was speaking, 'could you take a view of this part of the town on a Sunday, you would be shocked indeed; for then the street is filled with multitudes of these wretches, who, released on that day from employment, spend their time in noise and riot, playing at chuck, and cursing and swearing in a manner so horrid, as to convey to any serious mind an idea of hell rather than any other place. We have a worthy clergyman, minister of our parish, who has put some of them to school; but upon the Sabbath day they are all given up to follow their inclinations without restraint, as their parents, totally abandoned themselves, have no idea of instilling into the minds of their children principles to which they themselves are total strangers.' Can nothing be done, I asked myself, for these poor children? Is there any one who will take them to a school on Sunday?"

The success of these Schools was very considerable. Mr. Raiks engaged four well conducted women to take charge of a number of destitute children on the Sabbath, and soon the Schools became quite as attractive as the fairs or other gathering places of the neighbourhood.

The method adopted so successfully, and by which the change was so happily produced, is thus described, in another portion of that letter to Colonel Townley to which we have already referred:—

"To go round to the Schools on a Sunday afternoon, to examine the progress that was made, and to enforce order and decorum among such a set of little heathens. This, sir, was the commencement of the plan; it is now about three years since we began, and I wish you were here to make inquiry into the effect. A woman who lives in a lane where I had fixed a school, told me, some time ago, that the place was quite a heaven upon Sundays compared to what it used to be. The numbers who have learned to read and say their Catechism are so great, that I am quite astonished at it. Upon the Sunday afternoon, the mistresses take their scholars to church, a place into which neither they nor their ancestors ever entered with a view to the glory of God. But, what is yet more extraordinary, within this month, these little ragamuffins have, in great numbers, taken it into their heads to frequent the early morning prayers, which are held every morning at the cathedral at seven o'clock. I believe there were nearly fifty this morning. They assemble at the house of one of the mistresses, and walk before her to church, two and two, in as much order as a company of soldiers. I am generally at church, and after service they all come round me to make their bows, and, if any animosities have arisen, to make their complaints. The great principle I inculcate is, to be kind and good-natured to each other; not to provoke one another; to be dutiful to their parents; not to

offend God by cursing and swearing; and such little plain precepts as all may comprehend. I cannot express to you the pleasure I often receive in discovering genius and innate good dispositions among this little multitude. It is botanizing in human nature. I have often, too, the satisfaction of receiving thanks from parents for the information they perceive in their children. Often have I given them kind admonitions, which I always do in the mildest and gentlest manner. The going among them, doing them little kindnesses, distributing trifling rewards, and ingratiating myself with them, I hear have given me an ascendancy greater than ever I could have imagined, for I am told by their mistresses that they are very much afraid of my displeasure."

The result of this system has, year by year, become more marked, and the Schools have been most extensively and widely adopted. There are now over two millions of children attending about twenty-two thousand Sunday Schools in England and Wales; and in Ireland the Sunday School pupils number about half a million. We may further add, that of the English and Welch scholars about quarter of a million are in connection with the Sunday School Union, and more than a million and a quarter in the Schools of the Established Church. It has been objected to these Schools that they do not exercise a sufficiently strong influence over the heart to restrain, in after life, the vicious propensities of the pupils; however, it should be borne in mind that vast numbers of children attend these Schools, and these only; therefore criminals who have attended school at all are very likely to have been Sunday pupils. But view the question in its worst light, all that can be asserted, if the case stated by the Rev. Mr. Kingsmill be correct, is, that about three children in every two hundred attending Sunday School fall into crime. Mr. Kingsmill, differing with Dr. Browning's and Mr. Smithie's statements as to the value of Sunday Schools in deterring from crime, thought it right to judge for himself: he states, "In a thousand convicts I find ninety-two exclusively Sunday scholars, besides two hundred and twenty-one educated in National Schools, who were, according to the rules of the Society, Sunday scholars also. These, with a few from other schools, give about one-third of the thousand as Sunday scholars."*

Notwithstanding the benefits of the Sunday Schools, it was found that a population of juvenile criminals was rapidly grow-

*See a very interesting Chapter, entitled, "Sunday Schools," in the Second Edition of the Rev. Mr. Kingsmill's "Chapters on Prisons and Prisoners," pp. 4, 5, 6.

ing up in these Kingdoms. Human beings of tender years, who, had they been born of wealthy parents would have been but the inmates of the nursery, were found, after an infancy of godless ignorance, to have grown into a childhood of crime, and in many cases the number of their committals more than trebled the number of their years.*

These were terrible facts ; the counties and the cities felt it ; the cost of recommittal of juvenile criminals was acknowledged by all to be a crying evil, making itself known in every portion of the commonwealth; and yet Prison Boards and the Legislature were incapable of understanding, or of coping with, or of crushing the mischief; thoughtful men had pondered over the case; Prison Inspectors had reported upon the subject ; Gaol Chaplains had furnished statistics and facts, proving that juvenile committals were but furnishing sources of aggravated juvenile crimes,—and the great secret of all this evil, the true cure for every plague spot in the moral condition of the juvenile poor who were criminal, or who might become so, was discovered by a humble young man in London, and by a wise, hard headed Sheriff in Scotland ; to Mr. Nash of London, to Mr. Sheriff Watson of Aberdeen, the great merit of having shown the benefit, in checking juvenile crime, of Ragged Schools and of Industrial Feeding Schools, is indisputably due and willingly acknowledged.

To John Pounds, a cobbler of Portsmouth, the honor of being the practical founder of Ragged Schools is justly given. He was a cripple, and with a canary on one shoulder, and a cat on the other, was accustomed to teach his crippled nephew, as they sat together in the little wooden bulk, or house, which formed his work shop. A neighbour's child joined the class, then a third, and the numbers continuing to increase, at length a class of poor ragged boys gathered round him on week days, and on Sundays followed him tochurch. He gained many true christians from sin to virtue. Many to who are now prosperous look back gratefully to the days when the poor crippled cobbler taught them, in his humble way, the law of love, of hope, and mercy. John Pounds died in the year 1839, aged seventy-two, having in his life and labors "taught," as Mr. Kingsmill writes,—"the true philosophy of Ragged schools." It was his custom to collect the poorest children around him ;

* For some of these instances see Irish Quar. Review, vol. IV. No. xiii. p. 46. Art. "Our Juvenile Criminals:—The Schoolmaster or The Gaoler."

his "little blackguards," as he called them, were gathered from all quarters; he taught them book learning and his trade; he induced the unwilling to attend, by the offer of a roasted potatoe, or some other simple food; and thus the cobbler's Ragged School became, in fact, an Industrial Feeding School. At his last class, just before his illness, the pupils amounted to forty, including twelve little girls. These all loved their humble teacher, because they felt that his sincere and earnest manner was the result of a kind and christian regard for their welfare. If even these children had learned nothing, save the thought of God, and that industry does not harden the hearts of those who labor, the teaching given in the poor shed of the crippled cobbler would have been more grand in its results than the most boasted systems of the most famous colleges, for truly has it been written in that thoughtful look, *The Claims of Labour*, "There is one maxim which those who superintend schools should ponder well; and that is, that the best things to be learnt are those which the children cannot be examined upon."*

Most of our readers are aware that a Ragged School is one into which children, too poor or too vicious to be received into ordinary schools, may enter as a matter of right. In England these Schools have been in existence since the year 1841, but from the great benefits derived from the London Colonial Training Institution and Ragged Dormitory, and from the Aberdeen Industrial Feeding Schools, the public have obtained the fullest appreciation of the benefit and wisdom of the system.

The Schools are divided into two classes, those supplying food, instruction, and clothing,—and those supplying instruction only. Upon the former of these classes of Schools has been founded that which provides, in addition, lodging and the dormitory.

It may be supposed that the origin of these Schools was by no means encouraging; many, indeed, of those who attended came solely for the purpose of annoying the teacher, and thus dilittante philanthropists were at once, and fortunately, driven from the ranks of the ragged scholar's friends. At first it was

* We must earnestly advise all who feel interested in this particular branch of our subject,—which assumes that teaching any thing good must result in teaching, imperceptibly, still more important truths than the instructor contemplates,—to read the Second Chapter of Miss Carpenter's "Reformatory Schools," and the remarkable evidence from pages 40 to 50 furnished in a little work published by Pickering, London, and entitled, "The Philosophy of Ragged Schools."

difficult to secure order; all attempts at direction, on the part of teacher, were met by violence and hooting: books were showered upon him by his wild horde of pupils, and his remonstrances were drowned by vociferous shouts and yells. Patience and time, however, upon the part of the teachers, and let it be remembered they were voluntary teachers, caused the pupils to consider that those who devoted hours, set aside after the labor of the day was over for their instruction, were neither spies, nor gaolers, nor ordinary schoolmasters, and they began to respect the preceptor, and to profit by his instructions. Thus that voluntary system, so disinterestedly and strenuously advocated by Sarah Martin, was proved to work most admirably; and where the paid schoolmaster could not succeed the voluntary instructor triumphed.*

Wherever these schools have been established, even in their simplest forms, juvenile crime has perceptibly decreased; but where the Industrial and Ragged Feeding Schools have been supported, juvenile crime has virtually ceased.

The first Ragged School, as at present understood, was established in an old stable in London, by Mr. Walker, one of the London City Mission, and was opened upon a

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*This admirable woman was a poor dress-maker, and devoted all her time to the care of the prisoners in Yarmouth Gaol. She had a small income, about twelve pounds per annum, and having lost her business through her care of the prisoners, she subsisted upon this small sum, and upon the charitable kindness of those who approved her exertions. The Corporation of Yarmouth wished her to accept some stipend, she refused to do so, and thus explains her reasons, in a letter to the wife of a Magistrate who had entreated her to take the money. "Here lies the objection which oppresses me: *I have found voluntary instruction, on my part, to have been attended with great advantage;* and I am apprehensive, that in receiving payment my labours may be less acceptable. I fear, also, that my mind would be fettered by pecuniary payment, and the whole work upset. To try the experiment, which might injure the thing I live and breathe for, seems like applying a knife to your child's throat, to know if it will cut." She was only induced to accede to the offer of the Corporation, when they told her—"If we permit you to visit the prison, you must submit to our terms"—and they gave her—*twelve pounds per annum!!* and this after twenty-three years of devoted care. She commenced to visit the prisons in the year 1819, being then twenty-eight years old, and the chief support of her mother: she received the *twelve pounds* but for two years; it was granted in 1841, and she died on the 15th of October, 1843. See "A Brief Sketch of the Life of the Late Miss Sarah Martin of Great Yarmouth; with Extracts from the Parliamentary Reports on Prisons; and Her Own Prison Journals." Yarmouth: 1844. The passages extracted are at pages, 35 and 36.

Sunday,—forty-four children attending. Very few of these children had shoes, a few had shirts, and a good many appeared as if enveloped in their fathers' coats, the collars rising above their heads, the tails trailing upon the ground. From this it will be perceived that the class of pupils was of the lowest. They were the children of very poor widows endeavouring to support large families; some were orphans; the parents of two or three were blind; all who relied upon others for their support depended for sustenance upon the sale of the cheapest and commonest goods of the costermonger; whilst those who tried to support themselves could hope for that support solely by disposing of lucifer matches, and cheap wares of the poorest and most unremunerative description; many had been frequently in gaol, yet, for this class of boys, so poor, so ill taught, and in many cases so vicious, has sprung, through the energy of one man, that confessedly valuable establishment, the London Colonial Training Institution and Ragged Dormitory. The founder of this institution, Mr. Nash, was reared to the business of a draper, in Bristol; but, about the year 1842 he filled the situation of a commercial clerk in London. He had been accustomed to attend as teacher in a Sunday school, and, about the period we state, he became much interested in the success of the Ragged Schools; he became a voluntary teacher, and although at first dispirited by the insubordination of his rough pupils continued patiently to discharge his self imposed duty, and in the year 1846 gave up his clerkship, and entered the Normal School of the British and Foreign School Society, for the purpose of being trained as a day school teacher. In January 1848 he was engaged as master of the Day Ragged School, New Pye Street, Westminster, and here his career of usefulness began.

The hours of attendance in this school were from 9 to 12, and from 2 to 4 o'clock daily. But Mr. Nash did not consider himself bound to observe these hours only, and he induced boys, whom he found begging in the streets, to become scholars. As yet the school could supply no food, and two of these lads stated to Mr. Nash, that they could derive no advantage from the instruction of the day, if by night they were compelled to beg or steal for their support. Mr. Nash hired a lodging for them, and procured them clean clothing from a patroness of the school; one of the lads absconded, the other remained absent some days, and then

returning, made such rapid progress in instruction and good conduct, that Mr. Nash was encouraged to select six other boys, to be treated in a like manner, and for whom, through the kindness of some friends, he was enabled to hire a room in Orchard-Street, at the rate of two shillings per week.

The poor of the neighbourhood, and the pupils of some neighbouring Ragged Schools, contributed their pence to the support of the Dormitory. One of the latter Schools collected several shillings, in farthings, and aid was given by the City Mission. The whole furniture belonging to the Dormitory consisted of one straw bed, two forms, two tubs, a borrowed table, a kettle, and some basins. In its quiet way the School was becoming known, a circular requesting aid was sent forth to the friends of the movement. Samuel Gurney, remembering his worthy relative Sarah Fry, sent five pounds; the Earl of Shaftesbury, then Lord Ashley, provided for the emigration of three of the most worthy of the scholars; the Bishop of Durham enclosed fifteen pounds; other friends sent smaller sums, and in the month of September, 1848, a room was taken in the house at present occupied as the Institution, at the rent of three shillings per week. The building had been for years the resort of robbers and suspicious characters; one by one they were dispossessed, until at length the entire became the holding of Mr. Nash. Cleanliness and ventilation were observed in the apartment occupied by the boys, even whilst the old disreputable inhabitants remained in the house; and although the cholera was raging in the neighbourhood, although some died of the disease in the house, not one of Mr Nash's boys was attacked.

Having secured the house for themselves, the boys cleansed, whitewashed, and painted it; and as the principles of the school were now generally known, anxious enquiries were made into its practical results. On the 28th March, 1849, a meeting was held for the purpose of taking leave of those lads whom, according to his promise, the Earl of Shaftesbury was about to provide with passage and outfit to Australia. The meeting was attended by the boys of the Pye Street, and of neighbouring Ragged Schools, and their parents, and was addressed by the chairman and other friends of the Institution. A similar meeting was held on the 22nd March, 1850, to take leave of five lads who were about departing for the United States.

The time had now come when the merit of the Institution was fully acknowledged. Mr. Nash had spent time and energy and such poor capital as he possessed, in carrying out its objects, and at a meeting convened by the friends of the Schools in Saint Martin's Hall, on the 9th May, 1850 Mr. Nash having, in the March previous, given up his last mercantile situation, was appointed Governor and Corresponding Secretary of the School. The numbers in the School now amount to over seventy. The premises cover 4522 square feet of ground, and the annual income is considerably over £1,000.

Of this remarkable Institution we extract the following account, from the interesting little work entitled *A Place of Repentance* :—

"The recipients of the bounty of this Institution are voluntary applicants for admission. They are frequently recommended to apply by the chaplains of prisons, but in these cases there is no influence employed but that which is strictly moral—the desire to reform being, in fact, the basis of procedure on the part of the Institution. Upon admission the applicant undergoes a probation of fourteen days, during which time he is kept as far as possible alone, and is allowed for his sustenance but 1lb. of bread per day. If the probationer pass through this time of trial with satisfaction to the Governor, he is allowed at the expiration of the fortnight to join the other inmates. The rules and regulations framed by the Governor for the conduct of the inmates when the Institution was first established are as follows:—1. Every applicant must undergo a strict examination as to his past life, and if found to be a suitable candidate, he will be admitted into the receiving-room on probation for a fortnight. During that time he will receive secular and religious instruction, but will not be allowed to mix with the inmates; and his sincerity will be tested by his being required to live upon, during the period of his probation, a pound of bread a day. Having submitted to that ordeal, he will be fully admitted to the benefit of the Institution. It is, therefore, useless for any to apply but those who are truly tired of the miserable life they are leading, and are also willing to work, and make themselves generally useful. 2. All the inmates are expected to co-operate with the Governor in endeavouring to detect impostors; they are required to do this both for their own benefit and that of the Institution. 3. The inmates are not allowed to associate or form acquaintance with loose characters, either in the neighbourhood or out of it; nor to correspond, by letter or otherwise, with any person without first having the sanction of the Governor; nor to receive letters without his knowledge, and all the letters received or sent out must be inspected by him. Should money be given to the inmates, it will be deposited in the hands of the Governor, who will see that no improper use is made of it. Clothing sent to the Institution will be disposed of to the inmates at his

discretion. 4. The time and place of out-door exercise will be appointed by the Governor; and on no account will the inmates be allowed to visit friends or relations during the time of out-door exercise. This privilege must be granted at the special request of the friend or relative, and that not oftener than once a-month, except in cases of emergency. Should any inmate be found in any low neighbourhood or lodging-house, he will expose himself to undergo another probation, and to begin his time again, or be dismissed the Institution. 5. Quarrelling, fighting, swearing, drinking, smoking, chewing tobacco, calling each other nick-names, or using any slang terms, are strictly prohibited; and on all occasions the inmates are to speak softly, to be obedient and respectful to the Governor, to the assistant, and to the masters of the industrial classes. They are also to be kind and obliging to each other, and to endeavour by God's grace to cultivate a quiet and meek disposition, so that by example they may assist each other in the work of reformation. 6. The observance of the Sabbath to be strictly enforced. All the inmates must attend public worship at least twice during the day. 7. During the time of singing, reading the Scriptures, and prayer at the Institution, both in the morning and evening, and on all other occasions, the strictest solemnity is to be observed. 8. The inmates are required to be particularly clean and neat in their persons, and to bathe at least once every week. 9. Clothing is only lent to the inmates while they remain in the Institution. Should they therefore abscond with any portion of it, they will render themselves liable to be given over to the hands of justice. 10. There is a place for everything, and everything must be kept in its proper place. Should any property belonging to the Institution be wilfully wasted or destroyed, a portion of the daily allowance of food will be stopped, equal to the value of the property so wasted or destroyed. 11. Should any of the inmates wish to leave the Institution, they are at perfect liberty to do so by expressing their wish to the Governor. 12. The time of remaining in the Institution shall not exceed twelve months. A journal is kept for the purpose of registering the conduct of each inmate Those who strictly conform to the above rules, and give evidence of real reformation, will be granted a free passage to the colonies, or be placed in some situation at home in which they may obtain an honest livelihood. The dietary is as follows:—

	Breakfast.		Dinner.				Supper.			
	Cocoa.	Bread.	Meat.	Soup.	Potatoes	Bread.	Bread	Cheese.	Cocoa.	Total, Weekly.
	pint.	oz.	oz.	pint.	oz.	oz.	oz.	oz.	pint.	lb. oz
Monday....	1	8	6	..	16	5½	8	2	1	Bread.....9 13½
Tuesday....	1	8	..	1	..	8	8	2	1	Meat 1 8
Wednesday.	1	8	6	...	16	5½	8	2	1	Potatoes ..4 0
Thursday ..	1	8	..	1	.	8	8	2	1	Cheese 0 14
Friday	1	8	6	..	16	5½	8	2	1	Soup .....3 pints.
Saturday....	1	8	..	1	..	8	8	2	1	Cocoa ....14 „
Sunday.....	1	8	6	..	16	5½	8	2	1	
	7	56	24	3	64	45½	56	14	7	

Rice substituted for Potatoes occasionally.

TIME TABLE.

All the Inmates to rise at 6 o'clock.

6 till 8.....Cleansing Dormitories, Stairs, Yard, and Work-shops.
8 till ½ past 8.....Singing, Reading the Scriptures, and Prayer.
½ past 8 till 9.....Breakfast.
9 till 10 .....Out-door Exercise.
10 till ½ past 10 .....Exercise in the Yard.
½ past 10 till ¼ to 1 .....Industrial Training, Shoemaking, Printing, Carpentering, and Tailoring.
1 o'clock .....Dinner.
2 till ¼ to 5.....Industrial Training, do. do.
5 o'clock .....Tea.
6 till 8.....Secular Instruction, Reading, Writing, Arithmetic, &c.
8 till 9.....Instruction in Singing, Tuesday and Friday.
8 till 9.....Lectures on Scientific Subjects, Thursday.
9 till 10 .. ..Singing, Reading the Scriptures, and Prayer.
10 o'clock. .....Bed.

On Monday Evening, at 8 o'clock, a Social Meeting for Prayer by those who are seriously disposed.

On Wednesday afternoon, from 2 till 4, Instructions on Gospel History

Sunday.

Singing, Reading the Scriptures, and Prayer, from 8 till 9. Breakfast at 9. Sunday-school at the Institution at ½ past 9. At ½ past 10 all the Inmates to attend Public Worship. Dinner at 1. Sunday-school from ½ past 2 till ½ past 4. Tea at 5. Public Worship at 6. From 9 till 10, an Examination on what they have heard in the Sermons of the day; after which Prayer closes the service, and all retire to rest.

On the first Sunday in the month, a special Prayer Meeting on behalf of those who have emigrated.

By the foregoing documents, it will be seen that the Institution provides a home for its inmates, with food, clothing, lodging, and every requisite, and that it secures industrial and religious training, with instruction in the common branches of education. There is a printing-press on the premises, which the lads work under the instruction of a competent master-printer, who is an *employé* of the Institution. Tailoring and shoemaking are also taught by competent persons, who receive a pecuniary remuneration. It has so happened, that from the commencement of the Institution there have been among the inmates young men who understood carpentry, so that

this branch of industrial training is carried on without the aid of a salaried teacher. If any of the inmates possess knowledge of other branches of industry, they are allowed to pursue them, subject of course to the control of the Governor, and the general discipline of the Institution. By this arrangement brushes have been produced, and bead-work. The domestic arrangements superintended by the Governor, and aided by an assistant, are carried out by the inmates themselves, who make their beds, clean the rooms, cook their food, wash their clothes, and do all the work required for the establishment. The secular and religious education of the establishment is carried on by the Governor, and by voluntary teachers, on the Sabbath, and on the evenings of week-days. All in the establishment attend public worship on the Sabbath; and religious exercises, general and special, are conducted for their spiritual edification during the week. The table below exhibits, so far as statistics go, present results. Since the establishment of the Institution there have been—

Sent out as emigrants	47
Sent to situations.....	29
Restored to their friends	17
Enlisted for soldiers	8
Gone to sea	2
Deceased	1
Sent to the Philanthropic	1
Sent to the Juvenile Refuge ...	4
Total.....	119

The first house occupied was 28 St. Anne Street, Westminster; but the establishment was removed, in September 1851, to 9 Great Smith Street, Westminster, not far from Victoria Street, and near the western front of the Abbey. These premises are held on lease for a term of thirty-one years, at a yearly rent of 83*l* per annum. The Committee, on account of the suitability of the site, have expended more than 600*l* in providing the necessary accommodation. The premises embrace an office, a dwelling for the Governor, a day-room for the inmates, two dormitories, a range of workshops, including carpenters', tailors', and shoemakers' shops; also a printing-office, four probationary rooms, and the domestic offices necessary for such an establishment. The premises originally consisted of two dwelling-houses and an open yard, covering the space of 4522 square feet of ground, and extending from Great Smith Street into St. Anne's Street, in which the Institution formerly stood. The front dwelling-house, next Great Smith Street, has been converted into the Governor's residence, having the ground-floor rooms made into a committee-room 21 feet by 12 feet, with a separate entrance from the yard, and having the basement converted into lavatories and bath-room, with an external staircase down to the same. The dwelling in the rear next St. Anne Street has been converted into the probation-rooms, having a separate staircase and offices quite distinct from the other parts of the house. Here are also rooms for reading and Bible classes, and the ground-floor contains the kitchen, with boiler and range for cooking; also the store-rooms, &c.

attached, and in immediate connection with the dining-room in the new building. On the vacant ground between the dwellings, and in rear of the front house, has been erected a building having two large dormitories, 45 feet long by 18 wide, on the first and second stories, and a dining-room, used also as a school-room on the ground floor, 39 feet long by 18 feet wide, with a platform at the end of the same. On this floor is an entrance-passage, the Governor's office, a private entrance into the board-room, and a stone staircase communicating with the Governor's apartment, and with the dormitories on the first and second floors. The whole are lofty, well lighted, and ventilated by windows and air-flues built in the walls. On the left of the entrance are the workshops, consisting of a carpenter's shop, 27 feet by 10; shoemaker's 30 feet by 10; tailor's 22 feet by 10; and printer's 33 feet by 9. These extend the whole length of the premises, but leaving ample space between the buildings for the yard exercise of the inmates. The obtaining so much space in such a district is regarded as the provision of a kind, co-operating Providence; and although the expenditure has been heavy, and the terms may be regarded as somewhat high, the Committee feel that for their purpose and object the outlay is not too large."*

Important as the Ragged Schools, and particularly that of which we have last written, may be considered, the Industrial Feeding Schools of Aberdeen are still more encouraging and remarkable in their effects. These schools had their origin in the philanthropy and good sense of Mr Sheriff Watson. In the year 1840 it was found that all the sources of juvenile crime which conduce to fill the prisons with child criminals, and to burthen the rate payers with increased charges for constant recommittals, and for continual prosecutions, were more than ordinarily apparent in the gaol expenditure of Aberdeen.

In October 1841, a subscription, under one hundred pounds, was collected, for making the experiment as to whether poor children could be induced to attend these Schools regularly, and to work,—regular attendance and regular work being considered, as it were, the purchase of, and giving a right to, regular shelter and food by day. The attendance at the School is voluntary. A child absent from morning hours receives no breakfast; a child absent from forenoon hours receives no dinner; and if absent from the afternoon hours receives no supper. The children assemble every morning at seven, in summer, at eight, in winter. The day is divided

* See "A Place of Repentance; or An Account of the London Colonial training Institution and Ragged Dormitory for the Reformation of Youthful and Adult Criminals Great Smith-st. Westminster." By Samuel Martin, Minister of Westminster Chapel. Second Edition. London: James Nisbet & Co. Chaps. 3, 4, 5.

into four hours of lessons; three substantial meals are given, and the whole produce of the work of the children helps to defray the expence of the establishment.

The literary education afforded is such as may best fit the pupils for the duties of their state in after life. The School is opened by prayer and Scripture reading, and by religious instruction suited to their years; they are taught the ordinary branches of geography, natural history, and arithmetic, combined with careful instruction in reading and writing; twice every week they are instructed in singing. For breakfast they receive porridge and milk; the dinner consists of broth with coarse wheaten bread, for which are occasionally substituted potatoes and ox-head soup, and for supper they receive porridge and milk. On Sundays they assemble at half past 8 o'clock for prayers; breakfast at 9 o'clock; at 10 o'clock, worship in the school room; after which they dine and return home, so as if possible to go with their parents to church in the afternoon. At 5 o'clock they again meet and have Sabbath School instruction in the Bible and Catechism; at 7 o'clock supper, and after prayers the children are dismissed.

The great and distinguishing feature of this School is, that while it affords the instruction common to all schools, and the industrial teaching offered by a few, it possesses the important inducement of food to those who need it most. The success of the first school established was fully acknowledged. It was opened in October 1841, with twenty scholars, and in April 1842, the average daily attendance was fifty-two, the numbers admitted during the year being one hundred and three. The ages of the boys varied from seven to fourteen years; there were fifteen between the ages of nine and ten, and three between the ages of thirteen and fourteen. In the year 1841 the average attendance was thirty-six; the average total cost £8 : 6 : 8; the cost of food £4 : 11 : 0; earnings £0 : 14 : 6; nett cost £7 : 12 : 2. In the year 1851 the average attendance was sixty-four; the average total cost £4 : 18 : 5; food £3 : 1 : 3; earnings £1 : 14 : 4; nett cost £3 : 4 : 1.

The result of this School upon the Prison returns was very remarkable; for whilst, in the year 1841, the year in which the schools were established, the criminals under twelve years of age amounted to sixty-one, in the year 1851 the number was reduced to five. It is also worthy of notice, that from sixty-one, in the year 1841, the number of juvenile criminals com-

mitted was reduced to thirty, in 1842; yet when, from want of funds, a considerable proportion of the scholars was dismissed in the year 1843, the numbers rose to sixty-three; thus clearly proving not alone the necessity, but likewise the prudence, of supporting these Schools; but, irrespective of all other considerations, we would quote a truth advanced by Mr Thomson of Banchory, in a letter upon Reformatory Schools, and which appeared in the journal entitled *The News of The Churches*, March 13th, 1854—"SURELY HEATHEN AT HOME HAVE NO LESS CLAIMS ON OUR EXERTIONS THAN HEATHEN ABROAD."

The success which marked the working of this School induced the inhabitants of Aberdeen to open a Female Industrial School, bearing the appropriate title of "Sheriff Watson's," and a second has been in operation, and is known as the "Girls School of Industry of Aberdeen." For Sheriff Watson's Female School, a very neat and convenient edifice was erected, at a cost of £400, in the year 1851, and this sum has been repaid by means of a ladies' sale, and by subscriptions. From the *Report* of this School, for the year 1853, now before us, and which was adopted at a meeting held in the Court House of Aberdeen, on Wednesday, the 8th of February, 1854, a meeting most numerously and respectably attended, the Lord Provost presiding, it appears that during the year 1853, the number upon the roll was seventy-four, and that the average attendance was 48 3·12, during week days,—41 9·12, on the Sabbath. The balance in bank on the 31st December, 1852, was £73:15:11; during the year, the subscriptions amounted to £99:1:10; donations, £29:15:0; legacies £23:6:4; the total charge was £236:0:9. The reserved fund exhibited an income of £128:8:6 for legacies, one-third of which had been credited to the general fund, leaving a nett sum to the credit of the account of £88:2:2.

A Juvenile School was established in Aberdeen in May, 1845, which has worked admirably, as has also the Child's Asylum. These latter Schools have had the usual marked effect in decreasing the Police returns of Juvenile committals.

Having, in a former paper,* analysed and extracted, at considerable length, from Mr. Thomson's most valuable Essay, *Social Evils: Their Causes and Their Cure*—we shall not reprint what

* See IRISH QUARTERLY REVIEW Vol. IV. No. 13, pp. 58 to 65, Art. "Our Juvenile Criminals:—The School Master or The Gaoler."

we have there inserted, but earnestly recommend all who desire to appreciate the full benefit of the system to read, carefully and attentively, that most valuable little work. We may, however, add, that the Aberdeen experiment has been tried, and with the most perfect success, in Ayr, in Dundee, in Perth, in Glasgow, in Edinburgh, in Stirling, in Grenock, in Newcastle, in London, in Birmingham, in Liverpool, in Bristol, or, we may shortly state, in all our large towns and cities, including Dublin, to which we shall presently refer; and we shall, further on, present a most admirable summary of the rules and principles upon which Ragged Industrial Feeding Schools should be founded and conducted, and we shall claim attention for it as coming from the pen of Mr. Thomson.

Dublin possesses three Ragged Schools, all of which are Feeding Schools, and Sunday Schools, one being also a Broomer Messenger Society and Ragged Dormitory. The oldest School is known as the Ragged School, Lurgan Street, lately Church St., Dublin; it was established as a day School in 1830, and as a Sunday School in 1839; on Sunday, the 4th January, 1852, the numbers attending the School were 165 boys, 107 girls, and 393 adults, making a total of 665 persons, being an increase of 131 in the year; but occasionally the attendance on Sunday amounted to 739. In the day School, on the 7th January in the latter year, the attendance of boys was 125, of girls 62, making a total of 187, being an increase of 70 for the twelve months. It was found that many of these children were houseless and half-starved, and a room, large enough to lodge between 30 and 40 boys, was rented some few minutes walk from the school. On the 26th April, 1851, the Boys' Asylum was opened with 30 occupants; the furniture consisted of two tin sconces, a few vessels to wash in, and also to cook the supper, but the boys were supperless, unless they had earned it or had saved a piece of bread which each received at school. The other furniture comprised fifteen rugs, some loose mats thrown over the beds as substitutes for blankets, and fifteen straw pallets. The Messrs Guinness and Co. bestowed a quantity of hop pockets, out of which the boys made trowsers and jackets and other useful articles for themselves The boys were merely admitted for the night, and one of their number was placed in charge of the room. During the first nine months, 43 lads were admitted, fourteen were employed by the Shoe Black Society, others were engaged as messengers in the meat, fruit, and

fish markets. The money received during the year 1852, amounted to £551:12:4; of this sum £332:13:7 were expended on bread; for the support and outfit of the asylum for boys, and other expenses, £260 : 2 : 8. were required, leaving a deficit of £41 : 3 : 11 on the year's income, which, added to the previous balance due to the Treasurer, left the Institution in debt £329:8:0.

The Ragged Schools of Mill-street are the next of the Ragged Schools of Dublin to which we shall direct attention, and were founded in 1850 by the late Mr. Daniel Molloy. Mill St. is situated in the Liberty, and there two large rooms were taken, and the School was opened with five teachers and twelve children. It was an Industrial or Training School, but the number of scholars increased rapidly, and the average daily attendance in the year 1851 was 60, the total attendance during the year being 14,639. The average daily attendance, during the year 1852, was 66; the total attendance during the year was 16,665. At the Sunday School attached to this Institution the average attendance in the former year was 149, total 7,738; in the latter year the average was 165, the total 8,135.

The male and female Ragged and Sunday Schools, 27, Towns end St. next claim attention. The President is Mrs Whately, the wife of the Archbishop of Dublin; the collectors are the Hon. Mrs Thomas Lefroy, Mrs Henry Martley, Mrs Hawkins and Mrs W. Digges La Touche. The names of these ladies will at once prove that the Industrial Ragged School movement has in Dublin as its advocates our most influential families. The Townsend St. Ragged Schools were opened in October, 1852. The adult classes were opened on Sunday, the third of that month, and the daily School for boys on the Monday following, when only four children attended. The number of juvenile pupils increased, and at the close of 1853 amounted to 77, and during this latter year 40 boys were sent to respectable situations; 37 of these boys, it is stated, had formerly been Roman Catholics. A school for girls and infants has also been opened, and although at first thinly attended, the former now numbers about 40 pupils, and the latter between 50 and 60.

The chief fault we find with all these schools is, that although clothes and food are given to the very destitute who attend the week day schools, and although bread is given to those who attend the Sabbath schools, and whilst the children receive neat over-alls which they wear as a uniform during school hours, yet they are taught no useful employment; and it is our deliberate and care-

fully considered opinion, that a school teaching the elementary branches of literary education, even though religious instruction be combined with it, and supplying food, yet neglecting to afford industrial training, is a positive disadvantage, because it fits the children to be something, and yet teaches them nothing. And herein it is that we find the chiefest pleasure in analysing *The Second Annual Report of the Dublin Ragged School Broomer and Messenger Society, for the Year* 1853; and we regard this Institution still more, as its office at No 62 Great Strand St. is also occupied as a Dormitory. From some of the previous *Reports* of the Dublin Ragged Schools to which we have referred, it would appear that the philosophy of the work, *Chapters on Prisons and Prisoners*, by our esteemed countryman, the Rev Mr Kingsmill, has not been unobserved by our charitable public, and to the Committee of the Strand St. Institution, to whom the son of that most respected Judge, Baron Greene, is so efficient an honorary officer, its fullest and plainest teaching has become a guiding principle,—and christian wisdom has ever inculcated work with virtue, and has ever shown that they who seek for support, and can work to gain that support, must work.

The history of this School is simply as follows, and we give it in the words of the report:—

"When, in the month of March, 1852, a few gentlemen met together for the purpose of organizing this Institution, they could hardly have expected that, before the expiration of two years, they would be enabled to publish a balance-sheet, showing a gross total of receipts amounting to £380. Although it is but a repetition of what has been so frequently explained, both in appeals and in the report for last year, it is, nevertheless, thought advisable to give a short statement of the nature of the Institution, for the information of those who may be unacquainted with it. The Ragged Schools of Mill-street, Lurgan-street, and Townsend-street, afford all that is necessary in the way of instruction to the ragged and destitute children of this city; but it must strike any one who visits these schools, that the outward appearance of most of these children is truly wretched, some being scarcely able to appear at school, from want of decent clothing. The question immediately occurs, 'Can nothing be done, while cultivating the minds of the children, to ameliorate their external condition, and make them useful members of society?' Now, this is exactly the aim and object of the 'Ragged School Broomer and Messenger Society.' According as opportunity offers, it takes in rotation from the several Ragged Schools, the most deserving boys, and provides them with a home, clothes, and remunerative employment, either as Broomers,

in sweeping steps and cleaning brasses on hall-doors, as Messengers in shops and public offices, or in any other way in which the public may require their services. While habits of self-dependance and industry are thus encouraged, the intellectual and moral culture of the boys is not neglected. The Society employs an efficient Superintendent and Schoolmaster, who instructs the boys, for two and a-half hours every evening, after the work of the day is ended. No distinction is made as to the religion of those employed; but it is an indispensable qualification and rule, that no objection shall be made by any boy to reading and studying the Scriptures. There is also a Sunday School, which every boy is bound to attend, and at which some members of the Committee are always present to assist in the teaching. Such is a general explanation of the *nature* of the Society; how far its efforts have been successful must be left to the judgment of those who have employed boys from it. And although complaints have been sometimes made, the Committee are rejoiced to be able to report, that, for the most part, the conduct-books bear witness to the satisfaction of employers with the behaviour and capabilities of the employed There is, however, one other circumstance to which the Committee would refer, as exemplifying the usefulness of their Institution, viz.—the number of boys who, having been taken into the Society in a most destitute condition, have been provided with clothing, instruction, and employment, and who, having remained during a probationary period under the auspices of the Society, have finally left it, and entered upon permanent situations. In this way eleven boys have been provided for; one being employed as clerk in a solicitor's office, two as general servants, three in mercantile establishments, three as messengers in public offices, and two having entered the navy. In the spring of the present year, it was resolved that a subscription list should be opened, to procure a fund sufficient to establish a dormitory for the boys, many of whom, being orphans, were compelled at that time to seek shelter at night in the Refuges, and other places, where they were exposed to many temptations, and in danger of contamination from those with whom they mixed. The appeal was speedily responded to, more especially by the tradespeople of this city, who, when waited upon by members of the Committee, with very few exceptions, joined heart and hand in furthering the proposition. The Committee wish to take this opportunity of again returning their most grateful thanks for the co-operation of the public in their scheme. There are at present 15 boys, to whom the Society affords employment, and the Committee are desirous that its benefits should be extended to a larger number. They are willing and anxious to perform their part of the undertaking; and it remains only that the people of Dublin should more generally employ the boys. Should they do so, no efforts will be spared to ensure satisfaction and punctuality in the performance of their duties by the boys; and, in return, the Committee would only request that, if mistakes and neglects sometimes occur, the employers will recollect that it is with boys (and with boys taken from the lowest ranks of the city) they are dealing, and not with steady, sober-minded men. Let them be

lenient with those failings, which well-timed rebukes and friendly advice, are more calculated to remedy, than severity and impatience. At the same time, the Committee will feel obliged to those persons who, having any cause of complaint against the boys employed by them, will take the trouble of signifying the same to the Superintendent. In conclusion, the Committee are anxious to state, that they have it in contemplation to establish a small Lending Library of useful and entertaining books of a religious character, for the benefit of the boys in the employment of the Society. The utility, one might almost say the necessity, of such a step cannot fail to strike those who are at all acquainted with the spread of infidel and irreligious publications at the present day—publications which are issued at prices so low as to put it in the power of almost the poorest to procure them. To counteract their pernicious influence, as well as to infuse into the minds of the young, sound principles, are the objects which the Committee have in view in establishing a Library for the boys; and they have to return their grateful thanks to William H. Pim, Esq., for a liberal donation of £10 for that purpose, as also to M. M'Bride, D. W. Davison, W. T. Wylie, and R. Butcher, Esqrs. of the United States, who having visited the Institution during the past summer, presented the Society with books to the amount of £2. 10s., as a mark of the satisfaction which their visit afforded them. An application has been made by the Committee to the Religious Tract Society for assistance, and they have kindly acceded to the request, by granting books to the amount of £5. 6s. 8d. upon the payment of £2. The Balance-sheet will show that the expenses of the Society are necessarily large; but, looking back upon the past, the Committee are led to express a hope that that support, which has hitherto been so liberally extended, may not be diminished, but rather increased, so that a larger number of the destitute youth of the city may be provided for, and taught the value and sweetness of the bread of labour; and that fresh opportunities may be afforded for displaying our gratitude to Him who hath made the rich to differ from the poor, who is the common Father of both, and who has taught us that the elevation, both physical and moral, of the poor, is the most acceptable way in which we can employ those talents which he has committed to our charge.

BALANCE SHEET FOR 1853.

Cr.	£.	s.	d.
By Balance from last year's account	9	16	11
Donations to Dormitory Fund	106	15	5
Annual Subscriptions	98	0	2
Broomer Subscriptions	15	19	7
Boys' Earnings	149	17	5½
	£380	9	6½

DR.	£	s.	d.
Pay of Boys	105	13	4½
Superintendent's Salary, ...	34	3	6
Furniture, ...	75	1	6
Clothes, ...	59	6	3
Painting and Repairs, ...	26	11	8
Rent, ...	34	5	0
Brooms, Brushes, &c.	13	9	0
Coals and Gas, ...	12	7	0
Printing, Advertising, &c.	6	19	10
Incidentals, ...	5	13	11½
Stationery, ...	5	2	3
Medicine, ...	0	19	6½
	£379	12	10½
Balance in Treasurer's hands	0	16	8
	£380	9	6½

I have examined the above account and find it correct, leaving a balance in the Treasurer's hands of 16s. 8d.

LATHAM C. WARREN."

Several of the other Ragged Schools of Dublin have, in their *Reports*, acknowledged, the very great benefit which has accrued to their own Institutions, from the Dublin Ragged School, Broomer and Messenger Society, through the permium which advancement into the Society holds out to pupils from the lesser Schools: the scale of charges in the Brooming Department is, for sweeping steps and pavements in front of houses, and cleaning brasses of hall doors, fifteen shillings per annum; eight shillings for half a year, five shillings for a quarter, or four pence per week. No in-door work can be undertaken by the boys at the charge of less than one shilling per week; and the charges of such work are regulated by the time for which the boys are employed.

The Roman Catholics have opened Ragged Schools in Dublin for the poor of their own communion; and some of the establishments are Industrial Feeding Schools. The first of these Schools was established in the year 1850, and the first *Report* was issued in 1852.

From the *Second Annual Report of the Committee of the Catholic Ragged Schools, ending May* 31*st*, 1853, *Adopted at the Annual General Meeting, Held in the Church of St. Paul, on Sunday, June* 19*th*, 1853, *His Grace the Lord Archbishop*

of Dublin Presiding*, it appears that in the year 1851-2, five Sunday Schools and one Daily School were in operation, situated in the following streets, and containing the numbers indicated by the following figures:—

Sunday Schools only.	North Anne Street	550
	Temperance Hall, Halston Street	320
	Church Street	700
	Chamber Street	350
	Black Pitts	425
	Chamber Street Daily School	160
	Showing an aggregate attendance of	2,505

During the year ending May 31st, 1853, a Sunday and Daily School was opened in the parish (Roman Catholic) of St. Andrew; the Black Pitts and Chamber-street Sunday Schools were abandoned, and the scholars amalgamated with a Sunday School opened during the year in New Row; the Church-street Sunday School was closed, and the scholars distributed amongst the other schools. At the date of the *Report*—no other has been, to the period at which we write, issued—the situations of the Schools, and the numbers attending, were as the following table shows:—

Sunday Schools only.	New Row School	800
	North Anne Street	600
	Temperance Hall, Halston Street	350
	Westland Row	480
	New Row Daily School	280
	Westland Row Daily School	220
	Showing an aggregate attendance of	2,730

being an increase, for the year, in aggregate attendance, of 225 scholars.

Many of these children have been fed in school hours, and over 300 received clothing during the winter of 1852-3. For the year the subscriptions amounted to £500 : 11 : 8; and at a Bazaar held in the month of April, 1853, and devoted to the support of the charity, the proceeds amounted to £286 : 1 : 10; giving an income, for the year, of £786 : 13 : 6. The

* His Grace Archbishop Cullen is meant

expenditure amounted to £550 : 15 : 5; leaving a balance in Bank, and in the hands of the Treasurer, of £235 : 18 : 1.

We have endeavoured to render the information contained in this paper, regarding the Dublin Ragged Schools, as copious as possible. We feel deeply grateful to Mr. Richard J. Greene, the Honorary Treasurer of the Dublin Ragged Dormitory, who has most kindly procured us reports of the Protestant Ragged Schools; and we express our thanks to Mr. Richard Kelly, one of the Honorary Secretaries of the Roman Catholic Ragged Schools, who has aided us in obtaining accurate statements respecting these Institutions. We have not dwelt upon the polemics of either of these bodies; it is sufficient for us if we find that some men, be their religion what it may, so it be Christian, will show to these children that there are Samaritans beyond the wall of the Gaol; and that there are teachers other than those known as Prison Chaplains. Mr. Clay, Mr. Field, and Mr. Kingsmill, may reform the guilty; but why should they be forced to reform those who would never be guilty were they taught to be virtuous; and taught, *at the same time*, to be industrious. These two great principles must be inculcated simultaneously, and all the wisdom of the question we advocate is contained in two sentences of Mr. Thomson's paper—*Prevention is better than Cure*,—"Men often talk as if reading, writing, and arithmetic, were the whole of education. In truth, they are invaluable as means to an end; but real, true, education consists not in these, but in training up and moulding the immortal spirit which tenants the tabernacle of clay."*

The question is not, shall we rear little Protestants or little Roman Catholics, but, shall we rear little "City Arabs," little "Home Heathens." Rear them Protestants if they will be Protestants, rear them Roman Catholics if they will be Roman Catholics, but let us, for God's sake, rear them something worthy of Him whose image they bear. Be the religion of our reader what it may, he must agree with us, and with the high-souled man who wrote of these young ragged sinners:—"Let us all rather join heart and hand in the noble work of teaching those sunk in the animal life, the brighter hopes which await them: let us show them that there is a happiness of which they have as yet no idea, but which when once felt is not forgotten; and when

* See "Meliora," Second Series, p. 123.

they have come to that knowledge and felt that happiness, we may safely leave them to their human instincts to pursue it. They and we may then walk together in the steps of our meek and lowly Master through life, and when that is over, share together in his exaltation."*

So far we have written of free, voluntary, Industrial Schools, and we now turn to those which are correctly designated Penal Schools, and we shall first refer to the most remarkable,—that which was called the Philanthropic Institution, but which is now known as the Redhill School. It was founded about 64 years ago, for the reformation of the poor and depraved children who at that period infested London; but its original object has been departed from, and it is now devoted solely to the reformation of those boys who have entered on a criminal career. They come to the School—volunteers after completing their imprisonment,—or at the desire of their parents, that the formation of industrious habits may be made upon a foundation of repentance,—or after having received a conditional pardon, owing to their good conduct while in gaol. Over these last only has the Institution any legal hold, and yet they have generally proved the most difficult to manage; and this fact the Rev. Mr. Turner, the chief advocate of the Institution, accounts for by stating, that "as a general rule the best prisoner makes the worst free boy, the most difficult and troublesome boy to deal with, because he has been so accustomed to depend upon the mere mechanical arrangements about him, that he finds self action almost impossible; such are the most reluctant to work, and the most untrustworthy; directly they are free certain dispositions develope themselves, which, under the restraint of the prison, were mastered and hidden." The boys wear coarse comfortable clothing and are provided with wholesome food. It is an Agricultural School, and the pupils are taught to be indifferent to weather, and to work at all times, just as the laborers who teach them. Moral control is, of course, exercised, and literary instruction is imparted; the ages vary from 14 to 18 years. Some few

* See "The Philosophy of Ragged Schools," p. 128. We recommend this exquisite essay to all who feel an interest in the subject, and who desire to read the sentiments of an eloquent advocate expressed in the most powerful and convincing language.

are unwilling to work at first, as the change, from a cell or a home to open air labor, is disagreeable; but in a short time "four fifths of the boys yield to the influence of the School."

The first stone of the *present* institution was laid by Prince Albert in the year 1849, as a farm school for criminal and vagrant boys at Redhill, Reigate, Surrey. It consists of eight houses, arranged at either side of a large and handsome Chapel, each house being calculated to accommodate 60 boys; thus carrying out the "family" arrangement of Mettrai and of the Rauhe Haus. Each house is so arranged as to permit the family's being taught cookery, and all ordinary domestic duties, and, in addition, gardening, husbandry, and the mechanical arts useful in farm labor. By the *Report* for the year 1852-53, of Mr. E.Carleton Tuffnell, one of her Majesty's Inspectors of Schools, we find that this Institution is composed of 178 boys, who are divided into the three classes already indicated, namely—the voluntary,—those who receive a conditional pardon,—and those who come at the instigation of friends. For this latter class a payment of about five shillings per week is demanded, but when the friends are poor much less is taken. The families are kept distinct, each under a Superintendant answerable only to the resident Chaplain, who is the chief Director, but responsible to the Committee, who meet every fortnight. Two of the families consist of 50 each; one of 60, of the older boys; the fourth contains 20 lads employed in the stable, cowhouse, and farm yard, who are changed for others at the beginning of each month. The class of 60 is considered too large, and it is contemplated to diminish it, and to add to the farm yard class.

The number of boys received into Red Hill, from the opening of the school in 1849 to the first of March 1853, was 441. Of these, 225 have been discharged. More than 200 of the 225 were provided with situations, and the others proved incorrigible. An epitome of the working of this school may be given as follows:—75 per cent of the whole are reformed, and have become industrious members of society; 25 per cent relapsed into their old mode of life, at least for a time.

Mr. Tuffnell considers that the "families" of 40 or 50 are too numerous to be placed under one teacher; and he instances Mettrai and the Rauhe Haus as proving, by their practice, the necessity for subdivision. We have already shown that at

Mettrai there are one Chief Master, and two assistants to every "family," the "families" consisting of about forty each, whilst at the Rauhe Haus there is one master to every twelve boys; and in this recommendation of greater subdivision and an increased number of masters, Mr. Tuffnell is warranted by facts, and by the result of comparison with the foreign Institutions: to some other of Mr. Tuffnell's objections we shall hereafter refer.

Parkhurst Prison is situated in the Isle of Wight, and is a penal establishment for boys who have been sentenced to transportation. The ages of the Convicts vary from ten to eighteen years, but many have been sentenced whose ages are not nine years, and occasionally these latter juveniles have amounted to sixty or seventy in number. When a boy arrives in the prison, he is placed for some time in a probationary ward, and in separate confinement: during this period he is not allowed to communicate with the other lads, but for about five hours every day he is, during the period of exercise, instruction, or religious service, in their presence; but, whilst in his cell, he is supplied with occupation and books, and is visited by the prison officers. During this period of separation neither the health nor spirits of the prisoners appears affected, and when the time of probation has expired, the new boys are placed with the others, and learn trades, converse and play together, under the care of the Wardens. The stay of the boys in Parkhurst is generally from two to three years, and the effects of the system upon the conduct of the prisoners is generally satisfactory.

During the year 1852 the total number of prisoners was 822, and the total number of offences of all classes was, in the wards 1798, in the schools 349, making a total of 2147. It must be remembered that many of these were the ordinary offences of school boys, and the Rev. Mr. Smith, the Chaplain, writes, "I have to report very highly of the orderly and good conduct of the boys, and of their attention to the rules of the prison: leaving out of consideration altogether the long training which our boys have had in evil practices, and thinking only of what human nature is, I suppose I must not expect to see a better moral state than that which now exists;" and the Chaplain of the junior ward reports in terms equally favorable.*

The Parkhurst boys are those who are sentenced to a probation before transportation, and like those of Redhill they

* See "Reports of the Directors of Convict Prisons for the Year 1852," pp. 53, 54,

are employed in agricultural pursuits. The average number received for the last three years has been about 168 per annum: the numbers in confinement in January 1852, were 758, and during the year 1852, 164 boys were admitted, making a total of 822; of these 81 were removed to Van Diemen's Land, 1 to Western Australia, 44 to the public works at Portsmouth, 20 to the public works at Portland, 12 to the public works at Dartmoor, 10 to Pentonville Prison, 4 to Millbank Prison, 1 to the "Stirling Castle" Invalid Hulk, 4 were pardoned, 1 was pardoned on medical grounds, and 8 died.

The boys were instructed in draining and trenching land, in sowing and planting, taking in different crops, and, generally, in all the work that was required in carrying on a farm: the crops were somewhat above the general average, considering that the land is the heaviest description of clay. The mangold wortzel averaged about 43 tons per acre upon the whole crop; the wheat, owing to the superior value of spade husbandry, complete draining, and the careful application of liquid manure from the prison, barracks, and other sources, averaged seven quarters per acre: three acres of flax of first rate quality were grown, and it is to be regretted that the boys were not supplied with the means of preparing this in its first stage for the market (an excellent indoor employment for the winter months) as it would have proved a paying crop. The total cost of the Parkhurst Prison for the year, exclusive of buildings, amounted to £12,562 : 18 : 6. After deducting the earnings of the prisoners, a sum of £2,008 : 1 : 3, and house rent paid by officers, £192 : 11 : 6, the nett cost of the prison was £10,362 : 5 : 9,—the daily average number of prisoners during the year being 563, the nett cost of each was £18 : 8 : 1.

To the most excellent *Report* of Lieut. Colonel Jebb, which we take these figures, we shall have occasion in a future paper to return; but we think it right to state that he, like Mr. Thomson, considers that our future course of juvenile reformation should be one of prevention, and that prevention should be founded on education, and upon a system of police regulation which would remove the incentives to vice.

Formerly the boys at Parkhurst were not permitted to enjoy sufficient association, and were treated too much as prisoners: this was an error which experience has served to correct; and allowing for the difference between the class, and the ages of

the criminals in Mettrai and Parkhurst, we cannot consider that our philanthropists have any grave reason to feel dissatisfied with the national experiment.

An Institution at Stretton-on-Dunsmore was established, in the year 1818, by some magistrate of Warwickshire, for the reception of from 12 to 20 boys, who are hired as laborers from the Warwick and Birmingham gaols before their period of imprisonment has expired. From the foundation of the Institution cases of reformation have increased from between 45 and 50 to between 60 and 70 per cent; but yet, admirable as this Institution has proved, it has not been self supporting, owing to the decline of subscriptions; and as the Legislature has given no authority to detain the pupils, the full working of the plan has not been sufficiently tested. Yet, as was well said, by the Rev. H. Townsend Powell, at the Manchester Conference of 1851, "the system adopted is a system of kindness and persuasion, blended, nevertheless, with salutary coercion and correction. The object is to get, as it were, behind the scenes of the heart, and then to explain to the young offender man's double nature; to teach him he must be either the servant of God or the servant of Satan; to explain to him how all the unhappiness of which he is conscious, is attributable to following the suggestions of Satan, and that there is no joy, or peace, or happiness, or comfort, to be compared to that which is the gift of God to those who love and fear Him."

The cost of the system is remarkable: from the year of the foundation, 1818, to the year 1827, the annual cost of each boy was £40; from 1827 to 1844 the cost was £26; in the year 1848 the cost was £27:18:9¼; in 1851 it was £25:4:8¼; in 1852 it was only £22:13:1¾. It is right here to remark, that the cost of reformation per head in this Institution is £80, whilst the cost per head of our prosecution and transportation, which mean anything but reformation, is about £217 per head.

We have now named our chief institutions of a reformatory character, whether penal or voluntary, but there are many others to which we would wish to refer,—such as the Durham Refuge, The Refuge for the Destitute, at Dalston, Mr. Wright's School in Manchester, and various others of lesser note, but all formed upon the principle, the great philosophy of which was first enunciated by the Committee formed to examine into the state of Juvenile Crime in Newcastle and Gateshead—

"THAT A CHILD, EVEN WHEN CRIMINAL, SHOULD BE TREATED AS A CHILD, AND SENT TO A REFORMATORY SCHOOL, AND NOT TO A GAOL."

Private individuals have long since known this fact to be the true guiding principle of legislation upon this subject. Years ago John Pounds, the crippled cobbler of Portsmouth, acted upon this plan. Twenty-four years since, the Managers of our own Lurgan St. School discovered the secret. Twelve years ago Mr. Sheriff Watson proved practically, and upon a large scale, the truths, the practicability of which these had, in a minor degree, but indicated. That the great principle of Industrial Feeding Schools has at length engaged the attention of the country is an undoubted fact. They are talked of at County Meetings; their cost is discussed at Gaol Boards, and at the meetings of Boards of Guardians; and we may safely assert, that when the philosophy of any principle becomes known in these Kingdoms, and approved in its policy by the rate payers, its success is as certain as its reasonableness is indisputable. Mr. Thomson proves the principle in facts and figures, and in his excellent paper in *Meliora*, entitled *Prevention is Better than Cure*, he writes of Free Reformatory Schools, that there is just the same difference between a pupil in an Industrial Feeding School and one in a Penal School, such as that at Parkhurst, as there is between a willing and a reluctant scholar at Eton or Rugby: in the one case the instruction is received voluntarily, and with the sincere desire to profit; in the other it is forced upon the inmates.*

If, indeed, Ragged and Reformatory Schools were more costly than prisons, some objections might be tenable; but they are much cheaper, and what is far more important, much more effective in conducing to amendment, and to a consequent lessening of the public expenditure. Children beg, and will beg, who know no other means of support. Nearly two hundred years ago, that wonderful and thoughtful patriot, Daniel Defoe, stated that begging is a shame to any country: if the beggar is an unworthy object of charity, it is a shame that he should be *allowed* to beg; if a worthy object of charity, it is a shame that he should be *compelled* to beg. And this, doubtless, is the fact. Lord Teignmouth, and John Leigh, Esq., the Stipendiary Magistrate for Wolverhampton, in their papers

* See this excellent paper to which we have referred, in "Meliora", Second Series, p. 118.

contributed to *Meliora*,* assert that all the evil of juvenile crime results from the habitual neglect of our Legislature to provide proper checks to its commission, and reasonable safeguards against criminal relapse; and here these writers but support that opinion so eloquently expressed by the Rev. Mr. Guthrie, in his appeal to the good sense of the nation in the support of Industrial Ragged Schools, when he asks, "do you fancy that by refusing this appeal, and refusing to establish these schools, you (the public) will be saved the expense of maintaining these outcasts? a great and demonstrable mistake. They live just now; and how do they live? Not by their own honest industry, but at your expense; they beg and steal for themselves, or their parents beg and steal for them. You are not relieved of the expense of their sustenance by refusing this appeal. The old man of the sea sticks to the back of Sinbad: and surely it were better for Sinbad to teach the old man to walk on his own feet."†

And how, it may be asked, can this system which we advocate be carried out to a successful issue? Unhesitatingly we reply, by making a bill for the suppression of juvenile delinquency, and which has been drawn up with special reference to Scotland, the model of one to be extended to England and Ireland, with such modifications as may seem necessary to meet the peculiar requirements of each country. The bill is entitled, *"A Bill for Making Provision to Prevent and Suppress Juvenile Delinquency, and to Regulate Reformatory and Industrial Schools for Juvenile Offenders and Vagrants, and for other Purposes Relating Thereto,"* and contains fifteen sections.

The First Section provides, that when any boy or girl, apparently under the age of sixteen years, shall be brought before any Sheriff or Magistrate, charged with any offence, which it shall be competent to such Sheriff or Magistrate to try, and if it shall appear to them, or either of them, that such young person has been neglected in education, or in moral and industrial training, or that it is otherwise expedient, it shall be lawful for such Sheriff or Magistrate, instead of adjudging the offender, upon conviction, to suffer punishment, either to delay the time

* See "Ragged and Industrial Schools," by Lord Teignmouth, and "Juvenile Offenders, and Destitute Pauper Children," by John Leigh, Esq., in "Meliora," Second Series.

†See "A Plea for Ragged Schools, or Prevention better than Cure." By the Rev. Thomas Guthrie. Edinburgh, 1847.

of passing sentence, or to cancel the conviction, and order such young person to be sent, at once, to a Reformatory School, School of Industry, or other similar Institution where industrial training forms a prominent part of the system pursued therein, (whether such school be wholly supported by voluntary contributions, or established and continued under the powers hereinafter contained), and to be therein detained for such period of time as may be deemed necessary for his or her proper secular and religious education, under training in habits of industry, which period shall not be less than one year,—but such young person shall not be detained beyond the age of eighteen without his or her consent. The act also provides that the Schools must be approved by the Lord Advocate of Scotland, and the Directors must be willing to receive and keep the pupil for the directed time, or the committal will be imperative. It further provides, that if the young person shall abscond from the school he may be brought up for sentence upon the original conviction, and sentenced as if he had then, for the first time, appeared before the court: but if he shall serve out his time, he shall go forth free, and the offence which led to his commitment to the school shall be taken to be expiated, and shall not be deemed an aggravation of any subsequent offence of the like kind.

The Second Section provides, that when any boy or girl, apparently under the age of sixteen years, shall be found begging or wandering, without settled home or guardianship, or lawful, visible means of subsistence, such boy or girl, although not charged with any actual offence, shall be brought before the Sheriff or Magistrate, by any constable, and the Sheriff or Magistrate shall inquire into the circumstances of the case, and shall hear the parents, or guardians, or persons interested in the boy or girl, and shall require security for the good behaviour of the boy or girl, in a sum not less than £1, and not exceeding £5, for any period not exceeding twelve calendar months. The clause then provides, that if the security shall not be found, the young person shall be sent to a Reformatory School, with the restrictions and provisions as to age and other points as provided in the conclusion of the First Section.

The Third Section directs that if the young person shall abscond, in either of the cases provided for in the two former sections, the Sheriff or Magistrate shall have power to add three months additional imprisonment for this offence to that period

which would have been adjudicated in the first instance, had no committal to a School been provided, and even after the expiration of these three additional *prison* months, he shall be empowered to commit the young criminal to a Reformatory School; in all cases, however, the School commitments cannot extend beyond the eighteenth year.

The Fourth Section provides, that if any person shall aid in the escape or concealment of the escape, of any boy or girl from such Reformatory School, such persons shall be liable to a penalty of not more than £5 upon the complaint of the Treasurer or other officer of such Institution, to be recovered by summary complaint before a Magistrate who, on conviction and failure of payment, shall have power to commit such person to prison for a period not exceeding sixty days, unless the penalty be sooner paid; and such penalty, deducting the expence of prosecution, shall be paid over to the Treasurer of the Institution in which such young person was placed, for behoof thereof.

The Fifth Section provides, that in every case where any such young person has been sent by any Sheriff or Magistrate to such Institution as aforesaid, it shall be competent for the Treasurer, or other officer of such Institution to demand, under the authority of the Sheriff or Magistrate, from the parents or guardians of such young person, the payment of the expenses of such person, as incurred by the Institution. It is further provided that such parents and guardians shall be proceeded against, as in the case of parties concealing absconding pupils, and shall, upon default of payment of the expenses of the pupil, be imprisoned as provided in the case last mentioned.

The Sixth Section directs that where, upon conviction, any young person shall be sent to a School supported by voluntary subscriptions, instead of to a prison, and when the parents, or other person liable to pay for such young person shall be unable to pay the sum demandable by the school, then the Treasurer of the school shall be entitled to demand from the Prison Board of the county or city in which such young person was convicted, the sum due for his support and teaching to such school. It is further provided that when, under the Second Section, any young person shall be sent, without conviction, to a Reformatory School, and the persons chargeable for his support in such School shall not be able to pay the sum due, then the Treasurer shall be entitled to demand such sum from the Parochial Board of the parish, in which such young person,

if a pauper, would have been entitled to demand relief; the sum so paid shall become a charge against the Prison or Parochial Boards, for the year, and shall be recoverable and sued for within three months, after the lapse of such year, the amount to be sued for under the *Small Debts Act*, and recoverable even though the amount exceed the sum limited in that act; and when the Prison or Parochial Boards shall have paid said sum, they shall have a claim to indemnification against the parent, or person primarily liable.

The Seventh and Eighth Sections are very important. They provide that where any two or more Commissioners of supply, or any two or more Commissioners of Police, of any town having a special Police act, shall consider that it is desirable to establish or to continue the support of such Schools, or Institutions, as are indicated in the First Section, in their district, they shall give notice, three times at least in some local newspaper, of their intention to bring the subject before the Commissioners of Supply or Police, at a special meeting. It is then provided, that if the majority of members attending the meeting shall be of opinion that such Schools should be established, or continued, if already established, application shall be forthwith made by them to the Principal Secretary of State for the Home Department, representing the necessity for such School, with or without land for cultivation, together with estimates of the cost of such buildings as may be required, and upon certificate of approval by such Secretary of State, the Commissioners of the Treasury shall appropriate a sum for such building purposes—the maximum sum to be regulated at the passing of the Bill now before us. The money to be paid out of the Consolidated Fund; the property in the Schools to be vested in trust in such persons as the Commissioners of Supply or Police shall, with the approbation of the Secretary of State, appoint.

The Ninth, Tenth, and Eleventh Sections provide that in every subsequent year at the first ordinary general meeting of the Commissioners, the Commissioners then assembled shall elect a sufficient number of persons, either of their own body or otherwise, to be the members of, and to constitute Boards of Management for such School or Schools during the year ensuing; such persons to be in number equal to one-half of the whole number of such Boards, which Boards shall consist of not less than eight and not more than twenty persons, exclusive of the *ex-officio* members; and the number shall be fixed, by the Sheriff for the County

Board, and by the Lord Provost, or First Bailie, for the Burgh or Town. It is provided that no person shall be capable of being elected by the Commissioners of Police, a member of such Board, in any burgh or town, unless he shall be rated for the purposes of Police for such burgh or town, on a rent of not less than £10; and the voluntary contributors towards the annual cost of such School or Schools to the amount at least of one pound yearly, shall meet annually, and elect from among themselves a number of members of the Board of Management for such School, in number equal to the other half of said Board, and not being Commissioners of Supply or Police; the Sheriff and Sheriff Substitutes of the county wherein said School or schools are established, and the Provost or Chief Magistrate, and the Senior Bailie where there is a Provost, and the Second Bailie where there is not, of any such burgh or town, shall, *ex-officiis*, be members of Boards of Management for the county and town respectively. Five members of such Boards shall constitute a quorum, and the Board shall hold Meetings once at least in every month at the School, or in some convenient place in the neighbourhood; and at their first meeting, after the annual meeting, shall choose a Chairman for the year ensuing, and who, in the event of an equality of votes, shall have a casting vote, besides his deliberate vote. It is also provided that the Board shall have power to make necessary rules, and to elect and dismiss officers, such rules, however, to be approved by the Lord Advocate.

The Twelfth Section provides that the Commissioners of Supply for any county, and the Commissioners of Police for every burgh or town, for the use of which any such Schools shall be established or continued, may, at some one of their ordinary meetings, in every year, assess a special rate upon such county, burgh or town, and the rates shall be collected, levied and recovered, in the same manner and by the same powers, and under the same penalties, as the ordinary Prison assessment for the county, or Police-rate for such burgh or town; provided that no greater amount shall be annually assessed in any county, burgh, or town, than at the rate of *One Penny* in the Pound of value of the property rateable to the Prison-assessment of such county or Police-rate of such burgh or town; nor shall the annual amount of such assessment in any one year exceed two thirds of the whole expence of any such School.

The Thirteenth Section provides that the Boards of Management of the School of Industry shall certify under the hand

of the Secretary or Treasurer, the expenditure which they shall from time to time have incurred in managing and maintaining the School, to the Commissioners of Supply and of Police, and the proportions payable from the county and burgh assessments, or rates shall be paid by the Clerk, Secretary, or Treasurer of such Commissioners, out of the assessments and rates, to the Treasurer of the Boards of Management, whose receipts shall be a legal discharge.

The Fourteenth Section provides for the union of counties and towns for the purposes of the act.

The Fifteenth Section provides, that all Schools taking the benefit in any way of the act, shall be entitled to receive, from the Education Committee of Her Majesty's Privy Council, aid equal in amount to the sums raised by voluntary contribution or local assessment, for the annual expense of such School, and that under such modified and varied regulations, as to the accommodation required and the qualification of Teachers, as the Committee of Council may make, in order to admit these Schools to the same degree of support as is now given by the Privy Council to ordinary Schools throughout the Kingdom, all Schools receiving such aid shall be open to the Inspection of Her Majesty's Inspector of Schools, or to any other Inspector specially appointed for the Inspection of Schools taking the benefit of the act.

The provisions of this Bill appear to us to merit the very deepest attention, and the most anxious care in legislating upon them. The principle is excellent. It is that of *prevention*, so strongly supported by Mr. Frederick Hill in his able work, *Crime, Its Amount, Causes, and Remedies;* and strenuously as Mr. Hill, incited by his great experience as a Government Inspector of Prisons, presses the point of prevention, and of parental responsibility, he is fully supported by Miss Carpenter, by Mr. Thomson, by Mr. Recorder Hill, by Mr. Joseph Kay, by Sir John Pakington, by Mr. Leigh, by the Rev. Mr. Field, by the Rev. Mr. Clay, by the Rev. Mr. Kingsmill, and by the Rev. Mr. Davis—these last being the most distinguished of a body to whom the Nation is already deeply, and will be yet more largely indebted—The Prison Chaplains.

We have devoted much space to a full analyzation of the Bill, and we have done so because we are convinced that it is calculated to be of vast service to the country. Our good and esteemed friend, Mr. Thomson, informs us that it has been more than five years in preparation, and that to the consider-

ation of its provisions, Sheriff Watson of Aberdeen, Sheriff Barclay of Perth, Mr. Dunlop, the Member of Parliament for Greenock, have, with Mr. Thomson himself, and other friends of the criminal or destitute juvenile offender, given all the value of their practised experience. "I think," writes Mr. Thomson, "in its present state it is a very admirable measure,—considering that it is altogether a new kind of legislature, breaking down the barriers of the old criminal system, so far as juveniles are concerned—and I only wish it safe through both Houses."

That this Bill, or some other founded upon its provisions, must become law no man can doubt. Every police office report, every charge from the bench, every prison report proves the utter absurdity and extravagant inutility of our present system. To commit children to gaol is a crime against the National resources if reformation be not attempted. Short imprisonment, as the Rev. Mr. Field states, is a folly; and in a pamphlet recently published by the Rev. Mr. Davis, the Ordinary of Newgate, we read that a boy, the fourth child of an industrious widow, was committed to prison four times for stealing small sums of money from his mother and master, for the purpose of attending "penny gaffs;" he was whipped, and treated in the usual way, but on each occasion of conviction his offence was worse than the former—and while yet a child he was transported. Mr. Davis could teach this boy nothing in the short periods of confinement—he was becoming hardened in a gaol, when he should have been in training as a Reformatory School pupil.

This was a sad case, but here it may be objected, that the boy was vicious and could not be improved; we even for the moment admit the objection, but then no attempt was made fully and judiciously, to reform him, and that many of our young criminals are anxious for a refuge is proved by the fact, that notwithstanding the severity of the probation at the London Colonial Training Institution the number of applicants for admission averages EIGHTY PER WEEK. This is not all; we read in the London papers that, on the third day of April last, a boy named George Cooper, aged fourteen years, pleaded guilty, at the Middlesex Sessions, to having stolen a pocket handkerchief. The boy had, whilst in the House of Detention, committed an act of wilful damage, in the hope that his period of imprisonment would be prolonged, *that he might be taught to read and write.* He

was committed for two years, with hard labor; and a special recommendation was given that he would be sent to Red-Hill.

A clause in the Bill which we have placed before the reader, imposes a certain amount of responsibility on the parents of criminal and vagrant juveniles. It is a most necessary and important provision, and has been long demanded. As an instance of a class of cases continually brought before the Police Magistrates, we may refer to one which occurred in the Hammersmith Office, on Saturday, the 1st of April last. On that day Henry Collins, a little boy aged ten years, was charged with stealing a quartern loaf from the barrow of a baker. The boy's father had married a second time, and the prisoner was the child of the first wife. He had been often in prison, he and his brother being sent out to steal, and beaten if they returned without money or plunder. Mr. Beadon, the Magistrate, observed upon the necessity for an enactment, by which the parents of the prisoner could be punished, and compelled to pay for his support in Prison. The boy said he did not wish to steal, and was sent, crying, to gaol, with a recommendation that he should be committed to Red-Hill. These cases, from thousands of a like kind, prove the necessity for legislation on the subject, and prove, too, how truly the late Mr Justice Talfourd, a very few days before his death, spoke, when, addressing the Grand Jury of Berkshire, he said:—

"There are two general circumstances in the calendar to which I think I shall advert, not for the purpose of detaining you at this time with any remarks upon them, but for the purpose of noting facts, in order that they may make that impression which they are calculated to make upon the general mind. One is, that this calendar presents no exception from the general association of ignorance with crime, and further, that this calendar does most eloquently speak on behalf of those efforts which are now largely being made, to procure for the juvenile offenders that reformatory discipline which is essential, not only for their sakes, but that they should experience such reform for the benefit of the country. With respect to the first, I find on analyzing the calendar, that notwithstanding the activity which has been excited throughout the country in various departments for the purpose of extending education, there are no less a proportion in this calendar of 65 prisoners, than one-third who have not even experienced that first step from the most brutish state of ignorance which belongs to human information, namely, that of being able to read. I do not allude to this fact for the purpose of suggesting that they, without a higher, a nobler, and a better education, would be preserved from the commission of crime, but rather as an indication of the vast state of the dense ignorance which still remains unaffected

notwithstanding the philanthropic efforts which have been made throughout the country, and which call therefore for the most serious and earnest attention of those who desire not to be called upon to perform the painful, yet important duty, of punishing those whom they have taken no means to educate or instruct. Upon the other subject, namely that of the facts which this calendar discloses, tending to excite us all to the desire of providing reformatory discipline for juvenile offenders, there is this remarkable circumstance, that out of the number of prisoners who have been committed to Reading gaol for trial at these assizes, there are 15 who have been previously convicted; and out of this number, I am informed by the excellent chaplain of the gaol* (than whom there is no man living on earth who better understands the subject, or who more deeply feels, or who entertains a more anxious and earnest desire for their reform), that out of this number there are more than two-thirds who began their career of crime before they were 16 years of age, and several of them have been repeatedly convicted. Indeed one cannot help sometimes feeling, that when one is obliged to superadd punishment heavier than that which the mere facts of the case would call upon us to inflict, by reason of previous convictions, in reality the circumstance, instead of being an aggravation of the crime, is a claim on our Christian sympathy. For what is a poor lad to do, being turned out of prison having undergone punishment, with possibly the irritation of personal chastisement, and shame therefore brought upon him; what is he to do when he is let out, except to turn again, for the purpose of sustaining life, perhaps to some immediate course of crime, and perhaps of a much more heinous description than that which brought him to prison the first time. It becomes us therefore who desire to maintain and promote the advancement of the moral feeling of the people, to endeavour when the circumstance of their early guilt, which very often has arisen from some sudden temptation, and does not imply any greater depravity than that which the corruption of human nature spreads amongst all, that we should take an opportunity, not of yielding up the educational discipline of the law—that we should take care not merely to punish but to reform, and to seek to avail ourselves of that opportunity which that first offence has given, to bring within the pale of sympathy, and within the pale of religion, that unhappy person who has a soul immortal as our own, and has entered upon a life—a life as long in this world and that which is to come,—and to whom our warmest sympathy, rather than our indignation, ought to be addressed."

No man can doubt that these words are as true as they are wise. The judge was to try two boys—the one aged thirteen, the other eight—the former was acquitted, the latter convicted, the offence of each was arson—burning oats and hay—there was no connection between the prisoners. Few will dissent from the opinion offered by the judge, when he ex-

* Rev. John Field.

claimed—"A child of eight years of age charged with this fearful crime of arson. No doubt it is a case fit and proper to be committed, but it is one presenting great difficulties with respect to the mode of dealing with it. On the one hand it is a shocking thing to put a child eight years of age on his trial, so on the other it would be a very great evil indeed if it could be supposed that offences of this kind, which a child can commit, might be committed with impunity, merely because it is a child of tender age. You will have to inquire whether he was of sufficient capacity to rebut the presumption the law raises of his being incapable of crime. The law presumes—a conclusive presumption—that a child under seven years of age is incapable of crime, but beyond that age he is to be subject to criminal justice. It becomes a question of circumstance, the law presuming in raising a *prima facie* presumption of crime, and that presumption being very often rebutted by the circumstances of the case itself—and often rightly and wisely rebutted."

That the public mind is beginning to be awake to these things is, doubtless, a fact, but why is not the subject advanced by the Legislature? In all the force of plainest proof, from undoubted sources, Sir John Pakington has shown that these Reformatory Schools are the best, and safest, and surest protection against the spread of crime, and against the increase of taxation. The people are themselves anxious to see the Reformatory movement established. When the Ragged Schools of London were opened, in the year 1844, they numbered 20 schools, 200 voluntary teachers, and 2,000 scholars, aided by funds amounting to £61 : 9 : 6. In the year 1852 the schools were 116, the teachers 1,787, the scholars 11,733, and the funds had risen to £4,800: 13 : 3.

So far for the London experiment, but, in Aberdeen, the poor came forward with their pence—and whilst in one year the rich contributed £150, the working men collected amongst their own class £250 ; and why ? because, as they told Mr. Thomson, "Before this school was opened we were afraid to trust our children a moment out of doors alone ; they were exposed to learn, and did learn, all manner of mischief ; but now this school has cleared the streets of the little vagabonds who corrupted them. We are not now afraid to let them out, and therefore we support this school."

And why should not the nation support these Schools? Is it

that religion, and how to teach heathen in rags theology, is a difficult problem to be solved? Irreligion and crime are springing up around us,—not a cheap book shop where the poorer classes deal but contains its pennyworth of impurity and atheism. Look to the *Census Report on Religious Worship in England and Wales*, count the phases of creed, and observe how, day by day, the Established Church is becoming weaker, whilst the conventicle is crowded, whilst the western Mahommedanism—Mormonism,—is gaining followers by thousands. Who that observes these changes, and marks the uneasy heaving of the black sea of ignorance and crime that hourly casts up its poor human weeds, affrighting the thoughtful by its presage, and saddening the good by the horrible neglect of every command of God, of which it proves this nation to have been guilty, that will not fear a problem is to be solved, which may solve itself, if speedy means are not adopted to save the country from increased adult crime, and from the spread of a juvenile sin, threatening a future when vice will become generally, as it is now frequently—HEREDITARY? "Whilst," writes the Bishop of Winchester, in his Charge delivered in August, 1850, "the clergy are wrangling on points of doctrine, Infidelity is advancing nearer and nearer, its strongholds are taking possession of the mind of the people. The state of the population is not such as to warrant them in wasting their energies on subjects that are left undecided, instead of applying themselves to their proper work;" these words are true, true in every part, and yet they were addressed to men who believe in the inspiration of that Book which tells us—IN AS MUCH AS YE DID IT NOT UNTO ONE OF THE LEAST OF THESE MY BRETHREN, YE DID IT NOT TO ME.*

But, it will be objected, these Schools are very expensive. This is a common error, and can only arise from ignorance. In a former paper we entered at length into the cost of Schools and Gaols,† and proved the vast saving to be derived by society, and by the ratepayers in all points, from the adoption of Schools for destitute or criminal juveniles. We now state, from the best authority, the cost of gaols and schools as follows:—

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* For some information on the spread of infidelity and ignorance of religion, see IRISH QUARTERLY REVIEW, Vol. IV., No. 13, p. 25. See also a very excellent paper on "Popular Infidelity," in "The News of the Churches," No. 2, p. 40.

† See IRISH QUARTERLY REVIEW, Vol. IV., No. 13, p. 53.

Cost of Juvenile in Gaol	£63	10	0
,, At Parkhurst ..	43	10	5½
,, At Mettrai ...	42	0	0
,, At Stretton-on-Dunsmore	31	0	0
,, At Aberdeen ...	18	0	0*

These figures are indisputable, and begging the reader to bear them in mind, and to recollect that great truth recorded by the Newcastle and Gateshead Committee on Juvenile crime—"THAT A CHILD, EVEN WHEN CRIMINAL, SHOULD BE TREATED AS A CHILD, AND SENT TO A REFORMATORY SCHOOL, AND NOT TO A PRISON"—we place before him the plan upon which Mr. Thomson, and upon which we, would wish to see these Schools founded, and aided by legislative authority. We quote from Mr. Thomson's letter, addressed last December to Mr. Hill, the excellent Recorder of Birmingham :—

"It is very desirable, in any Act of Parliament to be obtained, to give the Schools the full title of 'INDUSTRIAL FEEDING SCHOOLS'—thus giving the sanction of the Legislature to the two *leading principles* on which they proceed, viz., *industrial training* and *feeding;* and to designate the class for whom they are intended, the words Juvenile and Ragged should not be omitted—thus, the full title ought to be

JUVENILE RAGGED INDUSTRIAL FEEDING SCHOOLS.

This title might save many future disputes as to whether the Schools were interfering with ordinary Pauper Schools on the one hand, or with Prisons on the other.

Three classes of Schools ought to be sanctioned by Parliament :—

1. REFORMATORY SCHOOLS, for Convicted Youths.
2. AGRICULTURAL SCHOOLS, for training up for Emigration, or for home Labour, as may be found expedient.
3. JUVENILE RAGGED INDUSTRIAL FEEDING SCHOOLS.

Reformatory Schools. To them I would send all persons convicted above 14 years of age, and keep them there until 18 or 20, or until they have been at least two or three years under training.

My object in specifying *above* 14, is, that a boy or girl who has led a thoroughly vicious life for several years becomes a very dangerous inmate of a younger School; and as it is in the younger Schools that I look for the greater part of the good to be accomplished, I am desirous that they should set out with as few drawbacks as possible; at the same time many whose judgment deserves

* For particulars as to cost of Schools, see "Two Prize Essays on Juvenile Delinquency," Chapter V.

the highest consideration are inclined to make the age 16. There seems no reason to restrict very much the age up to which convicts may be sent to the Reformatory School. A young man of 20, or even 25, may often be a most suitable subject for it—and this may well be left to the discretion of the sentencing judges especially as such cases will, in general, be tried by professional men.

These Schools must be considered as Prisons without the strict confinement of walls and bars, and require a mode of treatment something betwixt a Prison and a School, and they may be placed in any locality, and made of any extent which circumstances require. But, provision must be made for doing away, both in Scotland and England, with the present local distinctions and local funds, so that it be not necessary to have one in each county and burgh. No great number ought to be required—and the Colonial Training School in Westminster may be regarded as the normal type of such establishments. The principle to be mainly kept in view in them, is, to place clearly before each inmate, the hardship and misery of a life of crime—the comparative comfort and happiness of a life of honest industry—basing the whole argument on the Word of God, and then applying the test of a modified and gradually increasing personal liberty. No one ought to leave the 'Reformatory' until he has learned by experience, that *he is trusted*—and that he deserves to be so; and, unless he have this confidence—this amount of self-reliance,—he is not likely to do well.

The *Reformatory* School *must* be open to all voluntary applicants—otherwise, it will only do half its work. Let them be severely tested, as at the Colonial Training School—but do not require the repentant criminal to add *another* to his long list of crimes, before he is permitted to begin a career of reformation.

Agricultural Schools.—The only very complete experiment of this sort, which I have seen, is the admirable establishment at Redhill—and the results hitherto derived from it, are such as may well make it the model of others. The experience acquired at *Quatt, Bridgenorth,* and *Stretton on Dunsmore,* and also from the French, Belgian, and German establishments, all go to prove the value and the practicability of such Schools. Parkhurst, however good in its way, is much more of a prison than Redhill. The number required of them, would never be great—provided they be made available without local restrictions as to Counties, as already suggested in regard to the Reformatories.

Juvenile Ragged Industrial Feeding Schools. However admirable the reformatory and agricultural Schools may be, still, the great basis of the new system of dealing with our youthful criminals, must be found in the Juvenile Ragged Industrial Feeding Schools; and, it is to them principally we must look for the improvement of our hitherto neglected Juveniles.

These unfortunate children need food, instruction in religion, and the ordinary branches of human knowledge, training in habits of industry—and, partially at least, they need clothing.

To be effective, the Schools must supply all these, and such has been the invariable practice of the Aberdeen, and of many other Schools.

The food is an *essential* part of the system—and it is neither so expensive nor so troublesome to supply it, as is supposed by those who have not tried the plan.

It ensures regular attendance, without any trouble—it enables the pupils to profit by their lessons—and to apply to them with vigour—which no child suffering under the pangs of hunger can possibly do, and it is felt by the children to be real substantial kindness, and even by their parents—to whom it indirectly affords relief, and that in a form which they cannot mis-apply.

The necessity of instruction in reading, writing, arithmetic, and other ordinary school branches, and of Industrial Training, are too obvious to require to be enforced by argument.

The ground-work of the whole system of teaching and of training, must be the *Bible*—the revealed Word of God, by which alone, either rich or poor can be made truly wise, either for Time or for Eternity—and it would be well, that this were distinctly recognised in the Act of Parliament to be obtained—both, as a due acknowledgment on the part of a professedly Christian nation, and for the practical purpose of preventing any public money being worse than wasted in aiding Schools, if the zeal of the Infidel party should ever lead them to attempt to train up neglected Juveniles in the way in which they *ought not to go*. Let it be at once enacted, that no public aid shall be given to any of these Schools from which the Word of God is excluded.

Some of our zealous friends and supporters, who hold voluntary principles, object conscientiously to the children being brought up as members of this or of that particular Church. But, it ought to be remembered, that up to the age at which the children commonly leave such Schools, the very ideas of the differences betwixt one Christian Church and another have not begun to enter into their minds. The sole object of the religious training ought to be to make them Christian Children—and, at a later period of life, they will decide for themselves to what denomination they are to belong. Every right-hearted Christian must rejoice in seeing neglected Juveniles brought to the knowledge of their duties to God, their neighbour, and themselves, and he must deem it a very subordinate matter to which subdivision of the Church they may ultimately attach themselves—and the teacher of a Juvenile Ragged School must be singularly unqualified for his office, and must make strange waste of his own and his pupils' time, if he devotes himself to making them all conform to his own peculiar ideas, whether he be Episcopalian, or Methodist, Presbyterian, or Independent—all such sectarian proselytism ought to be stedfastly discouraged, and every energy directed to the only worthy object—*Christianizing*.

In this matter, however, there is more real difficulty, when the question comes to be, not betwixt one body of Protestants and another, but betwixt Protestants and Roman Catholics.

The conscientious scruples of a Roman Catholic parent are entitled to respect, when they really exist. The experience of Scotland, however, all goes to show that they very rarely, if ever, object to their children being taught along with Protestant children,

and from the same Bible, unless, indeed, the idea be put into their heads, and hard pressed upon them by other people. Cases have occurred in which they have thus been induced—perhaps *forced*—to object to the Bible teaching of their children.

Consider how such neglected Juveniles are circumstanced. If their Roman Catholic parents were educating them in the principles of their own religion, no man has any right to interfere with them; but they are neglecting them—they are not educating them to become self-supporting members of society, but leaving them to be trained up by their older vicious comrades in every sort of iniquity. Were it not so, they would never become the objects of the care of Juvenile Ragged Schools. A Protestant State, such as Great Britain, is well entitled to say to such parents, if you neglect to educate your children, we cannot, either for their sakes or our own, suffer this to be;—they must be educated, and if you can not, or will not, we *must*; and at the same time, as a Protestant people, we dare not educate them by any other means but the use of the Word of God. There is neither cruelty nor injustice in so doing, and, practically, it will be found that the parents of the neglected outcasts are very rarely members of any Christian Church, or care about religion in any way. Were it otherwise, they would not neglect their offspring; and their parents may, in general, be correctly designated home-heathens. The sanctions and influences of religion are, it may almost be said, more needful for the education of the lowest classes than for others; and, therefore, let no system be adopted by the Legislature in which the use of the Bible is not distinctly recognised.

What is equally important, no master or mistress can, by possibility, train a large number of outcast children. The work must be done by the immediate acting of the teacher's mind upon the pupil's mind; and, therefore, large numbers are inadmissible. It is not merely reading, writing, and cyphering, which are to be taught, but the whole moral nature is to be impressed and moulded; and from 70 to 100 ought to be the utmost number admitted to one School. When the pupils become more numerous, build another school, and get another teacher.

The responsibility of parents for the maintenance and education of their children ought to be effectually maintained, as proposed in No. 13 of the Committee's Resolutions. It is high time to put an end to the fearful wickedness, of parents, for their own profit, training up their children to a professional life of crime; and no check would be more efficient, than obliging the parent to pay for the support of his neglected child, whether in prison or at a Reformatory School.

It must be distinctly acknowledged that no stain of criminality attaches to a child on account of having been educated at a Juvenile Ragged School, and every exertion must be used to obtain the cordial acquiescence of the public mind in this feeling; the children will otherwise, have almost insuperable obstacles to contend with in after-life.

The children sent to these Schools, after petty offences, must be

regarded as *not guilty*, on the score of their want of discernment, to use the French technical expression; and those who are sent to them for no offence, but simply because they are neglected, must not be accounted as having thereby acquired any taint whatsoever—both must have a clear open course before them for the rest of their lives.

It is not desirable that expensive buildings ever should be erected, and nothing approaching to luxury ought to be introduced. The children have an arduous struggle before them, and it is needful that they be trained to it from the first; but this is perfectly consistent with the greatest cleanliness and good order. It ought to be kept in view, that if these Schools effectually do their work, many of them, in the course of twenty or thirty years, will become unnecessary, and their place be supplied by Day and Infant Schools, where the parents pay the ordinary fees.

The question of *lodging* the children ought not to be determined by law, but left free for the managers of each School to decide as circumstances may require. The experience of Aberdeen is most clearly in favor of their returning nightly to their homes, although exceptional cases do occur. They often convey much good directly to their parents, and still more is accomplished by the visits of those who, taking an interest in the children, are thereby induced to extend their care to their relatives, and pay them kindly visits at their own houses. The Juvenile Industrial School ought ever to be widely different from the Endowed Hospital, or the Poor House.

It is needless now to discuss the abstract question of how far Society has the right to punish, as criminals, children whom Society has never taught to know right from wrong. All must admit that it is not kind—that it is not expedient. We speak of the uneducated classes, but it is a great mistake;—no child can grow up *uneducated* in the true meaning of the word, and the two classes of which all Society consists, are not the *educated* and the *uneducated*, but those who have been educated in sin and to sin, and those who have been educated in wisdom and to wisdom—of those who have been trained up neither to fear God nor regard man, and those who have been taught from their infancy to fear God and love their neighbour. On these broad and plain principles the New Schools ought to be established and conducted."

We have dwelt at great length upon this question, and did space permit intended to have written upon the subject of Prison Discipline, and the Separate, and Ticket-of-Leave Systems—these two most important topics we must postpone until our September number. Indeed we do not know how our present paper could, in justice to its subject, be curtailed. We wished to show that the law must be suited to the time, and that if our system of punishment of juvenile offenders be not changed, our criminal code will become a disgrace to civilization, and a source of

ruin to the country. All the efforts towards amelioraton in these Kingdoms are, as we have already observed, of steady growth and of slow movement; but once convince the Nation that a change is required, and the end is secured. We believe with Mr. Thomson, he freely confesses the fact, that Reformatory Schools can only be rendered successful by a measure "which is altogether a new kind of Legislation, and breaks down the barriers of the old Criminal System, as far as juveniles are concerned." But the Legislation is necessary, if the country is to be protected from an inundation of crime. When the Barons of England declared—"Et omnes comites et barones una voce responderunt quod nolunt leges Angliæ mutare, quæ hucusque usitatæ sunt et approbatæ"—they but declared a great, national, and wise principle, and yet since that period laws have been changed with the change of time, and the stability of the constitution has been proved by the increased strength which the grand edifice has received from the wise and watchful care of those who have tended its security, strengthening its foundations whilst adapting its old structure to bear the pressure of an element, more trying than material building ever bore, the public need—the national necessity. This change of law which we demand will come with the consent of the Legislature or—without it. True, the Legislature would end with a violent change, and that change would come from those whose cause we now advocate.

But what will those child criminals be if we suffer them to grow up as their fathers grew? Shall the criminal code of the country be the only system unimproved with the age? We may unfold every secret of the stars; we may send the railway engine flying through the balmy fields of our Indian empire; we may cast forth upon the flashing of the electric wire, the words which are understood in other lands as soon as given at home; we may be the proudest, and the richest, and the grandest people of the earth, with power in all spheres, with influence in the national councils of every country of the earth, and yet, if we permit the growth of a population of "Home Heathens," we cannot escape that destruction which a thoughtful man sorrowingly indicated, when he wrote that "If the monarchy and the representative system of Great Britain are to perish, it will not be from any conspiracy of the nobles. Magna Charta and the Revolution settlement secured and limited their influence in the Constitution. Nor will it arise from

the rebellion of the middle classes, who acquired their due share of political power by the Reform Bill. But the dominion of an ignorant and demoralized democracy is scarcely more fatal than the growth of popular discontent." These words were written last year by Sir James Kay Shuttleworth, in demanding extended and improved literary and religious training for the people at large.* We apply them now to the class of criminal and destitute juveniles to whose condition and amelioration we have devoted this paper. We claim the proposed change for these children as their right—we claim it that the law of God and the law of humanity may interpose between them and the future ruin of the Kingdom at their hands. The remedy we have suggested may be unusual, and untried, save in particular localities, but where proved it has been successful; and if, as has been truly stated, gaols should be "Moral Hospitals," we contend that Industrial Feeding Schools and Reformatory Institutions should be Moral Dispensaries. The old system of cure has been nothing more than quackery; juvenile crime has become a foul and virulent ulcer, eating into the very heart of the body politic, and becoming, day by day, more unmanageable, and he who would restore the social health of the commonwealth, must be prepared to act, if necessary, upon the old maxim of Hippocrates—"Ad extremos morbos extrema remedia." The disease is, indeed, extreme, the remedy though new, is neither violent nor uncertain.

Few cities need these schools more than our own, as the following figures, taken specially for this paper, from the *Statistical Tables of the Dublin Metropolitan Police, for the Year* 1853 prove. To these authentic facts we beg the most earnest attention, first, of every christian man—secondly, of every tax payer in Dublin.

These figures show, in the plainest and clearest manner, that every argument in support of the demand for Reformatory Schools is strengthened by the evidence of our Police Returns.—

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* See "Public Education as Affected by the Minutes of the Committee of Privy Council from 1846 to 1852; With Suggestions as to Future Policy." By Sir James Kay Shuttleworth, Bart. London: Longman and Co. 1853.

Table showing the Age and Sex of persons, under 20 *years of age, Summarily Convicted during the year* 1853.

	Offences.	Under 10 years of age.		10 years of age and under 15.		15 years of age and under 20.	
		M.	F.	M.	F.	M.	F.
First Class.	Assaults and Common Assaults	0	0	17	1	130	27
	Obstructing Police, Rescue, &c.	0	0	7	2	93	16
	TOTAL,.....	0	0	24	3	223	43
Third Class.	Dog Stealing . . .	0	0	0	0	1	0
	Embezzlement . .	0	0	1	0	1	0
	Frauds, &c. . . .	0	0	8	0	9	1
	Attempts to commit Larceny	2	0	61	9	83	7
	Pawning illegally . .	0	0	5	1	4	8
	Receiving Soldiers' necessaries	0	0	0	0	1	1
	Unlawful possession of goods	16	3	417	55	429	131
	TOTAL,.....	18	3	492	65	528	148
Fourth Class.	Wilful damage, TOTAL of this Class . . .	0	0	40	4	42	20
Sixth Class, comprising other offences.	Runaway Apprentices .	0	0	6	0	20	0
	Cruelty to Animals .	0	0	1	0	8	0
	Deserters . . .	0	0	0	0	11	0
	Disorderly Characters .	0	0	276	9	673	90
	Prostitutes . . .	0	0	0	7	472	253
	Drunkenness . . .	0	0	12	2	0	200
	Exposing the person indecently	0	0	0	0	6	6
	Furious driving . .	0	0	0	0	10	0
	Driving with injury to the person	0	0	0	0	4	0
	Gambling . . .	0	0	0	0	3	0
	Nuisances . . .	0	0	66	8	88	15
	Non-payment of Fines .	0	0	0	0	4	0
	Smuggling . . .	0	0	0	0	1	0
	Suicide . . .	0	0	0	0	0	2
	Tippling in unlicensed houses	0	0	3	0	27	10
	Suspicious Characters, Vagrants	461	463	943	648	985	1165
	Breaches of Dublin Carriage Regulations .	0	0	2	0	3	0
	TOTAL,.....	461	463	1308	674	2315	1744
	GRAND TOTAL,.....	479	466	1865	746	3108	1955

The above table gives a Total of 8619 offences indicated, committed by persons under 20 years of age, adjudicated summarily by the magistrates.

Table showing the Age and Sex of persons, under 20 years of age, Committed by the Magistrates during the year 1853.

	Offences.	Under 10 years of age.		10 years of age and under 15.		15 years of age and under 20.	
		M.	F.	M.	F.	M.	F.
First Class.	Assaults, and Common Assaults	0	0	3	1	6	0
	Stealing	0	0	0	0	0	1
	Manslaughter	0	0	0	0	2	0
	Indecent offences and Assault	0	0	0	0	2	0
	TOTAL,.....	0	0	3	1	10	1
Second Class.	Burglary	0	0	3	0	17	1
	Breaking or attempting to break into a dwelling house by day	0	0	2	0	2	1
	—— Outhouse by night or day	0	0	0	0	1	0
	TOTAL,.....	0	0	5	0	20	2
Third Class.	Cattle, horse, and sheep stealing	0	0	1	0	0	0
	Embezzlement	0	0	3	0	8	1
	Frauds, &c.	0	0	3	0	7	1
	Larceny in dwellings by servants	0	0	0	0	5	11
	—— Other persons.	1	1	6	4	49	17
	From person by prostitutes	0	0	0	0	0	7
	—— Other persons	0	0	9	1	49	17
	Simple Larceny	1	0	6	3	31	8
	Larceny from Shops	0	0	8	2	37	10
	Attempts to commit Larceny	0	0	10	6	42	7
	Receiving stolen goods	0	0	0	0	2	1
	TOTAL,.....	2	1	46	16	230	80
Fourth Class.	Wilful damage, TOTAL of this Class	0	0	0	0	1	0
Fifth Class.	Coining and uttering, TOTAL of this Class	0	1	2	1	3	2
Sixth Class, other offences.	Attempting to burn	0	0	0	0	0	1
	Escaping from custody	0	0	0	0	1	0
	Exposing the person to insult	0	0	0	0	1	0
	Perjury	0	0	0	0	0	1
	TOTAL,.....	0	0	0	0	2	2
	GRAND TOTAL,.....	2	2	56	18	266	87

This Table gives a Total of 531 offenders under 20 years of age, committed during the year for trial.

Table showing the Age and Sex of persons, under 20 *years of age, Committed for Trial, and who were Convicted during the year* 1853.

	Offences.	Under 10 years of age.		10 years of age and under 15.		15 years of age and under 20	
		M.	F	M.	F	M.	M.
First Class.	Assaults, Common	0	0	1	1	3	0
	Stealing	0	0	0	0	0	1
	Indecent offences	0	0	0	0	1	0
	TOTAL.....	0	0	1	1	4	1
Second Class.	Burglary	0	0	1	0	11	0
	Breaking into or attempting to break into dwelling-house in daytime	0	0	1	0	1	1
	TOTAL.....	0	0	2	0	12	1
Third Class.	Cattle, horse, and sheep stealing	0	0	1	0	0	0
	Embezzlement	0	0	0	0	5	0
	Frauds, &c.	0	0	2	0	5	1
	Larceny in dwelling-houses by servants	0	0	0	0	3	10
	—— Other persons	0	0	3	2	24	7
	From the person by prostitutes	0	0	0	0	0	2
	—— Other persons	0	0	7	1	31	10
	Simple Larceny	0	0	4	0	21	7
	Larceny from shops	0	0	8	2	33	7
	Attempts to commit Larceny	0	0	10	5	28	5
	TOTAL.....	0	0	35	10	160	50
Fourth Class.	Coining and uttering, TOTAL of this Class	0	0	0	0	1	1
Sixth Class, other offences.	Attempting to burn, TOTAL of this Class	0		0	0	0	1
	GRAND TOTAL.....	0	0	38	11	177	54

This Table gives a Total of 280 Convictions of offenders under 20 years of age, tried during the year 1853; and the Grand Total of persons under 20 years of age, summarily convicted or committed for trial, amounted to 8619.

The total number of persons under the above age who were taken into custody during the year is as follows:—under ten years of age, 584 males, 535 females; ten years of age and under 15, 2567 males, 948 females; 15 years of age and under 20, 4746 males, 2689 females. We may here observe, that of 48,656 persons of all ages and sexes taken into custody during the year, 27,350 could neither read nor write.

Let it be ever borne in mind that not one of these culprits was over twenty years of age. Let it be remembered too, that 472

persons, between the ages of ten and fifteen years, were summarily convicted of the unlawful possession of goods; and that of the 4,665 suspicious characters and vagrants summarily convicted, 924 were under ten years of age, 1,591 between ten and fifteen, 2,150 between fifteen and twenty. If these were Scottish culprits we should be able to state their ages, and the number, if any, of former committals, but unfortunately no such statistical information, with reference to these young criminals, can be obtained from the *Tables*, elaborate and excellent in other points, now before us. However, we may be satisfied that many of these prisoners were being, or had been, reared to crime; and assuming that pauperism and vice are as rife in Ireland as in Scotland, we would assert that the majority of these children had both father and mother living.

What the condition of the juvenile criminals in Scotland is, may be learned from the *Report* of the Rev. William Brown, Chaplain of the General Prison at Perth—No. IX, in the *Appendix to the Fifteenth Report of the Board of Directors of Prisons in Scotland, for the Year*, 1853: it appears that of the 85 juvenile prisoners committed to Perth Gaol in the above year,

26	HAD FATHER AND MOTHER LIVING.
9	Father only.
6	Father and Stepmother.
24	Mother only.
7	Mother and Stepfather.
13	Were Orphans.

Who that reads these facts, and considers the grave import of these figures, and they are of a like appalling nature all through the Kingdom will not demand the Reformatory and Ragged School for the child criminal or neglected child? Who will not hold with John Foster, "that any man who looks, in the right state of his senses, at the manner in which the children are still brought up in many parts of the land, will hear, with contempt, any hypocritical protest against so much interference with the discretion, the liberty of parents, the discretion, the liberty, forsooth, of bringing up these children a nuisance on the face of the earth."

To all who believe the truth of these wise words we have appealed in the course of this paper. If other advocacy, than that furnished by the facts and figures we have collected, be

desired, it can be found, in melancholy force, amid the sad Reports of the Gaol Chaplains, and amongst the records of our Criminal Courts.*

If our readers should be desirous of knowing how the interests of the destitute or criminal juveniles may be advanced, we state that, in our minds, nothing more effective, and likely to conduce to a satisfactory result, can be now attempted than by obtaining signatures for a memorial such as the following, (which we have received through the attention of Mr. Thomson) and by procuring its presentation to the Privy Council, or to Parliament :—

"COPY of a PROPOSED MEMORIAL sent by the PREVENTIVE and REFORMATORY SCHOOL COMMITTEE to the COMMITTEE of the RAGGED SCHOOL UNION, for their consideration before being presented to the LORDS of the PRIVY COUNCIL.

To the Committee of Privy Council on Education in behalf of Ragged Schools, or Free Day Schools for the Destitute.

Your Lordships' Memorialists respectfully beg to represent: That an increasing large class of Schools, called the Ragged Schools, or Free Day Schools for the Destitute, intended for those children who, by reason of the vice, neglect, or extreme poverty of their parents, are inadmissible to the existing School Establishments recognized by your Lordships, do not, and cannot, receive any fair proportion of the Parliamentary Grant for Public Education under the existing Regulations, yet that for their maintenance in an effective condition, they require it in a far higher degree. They cannot at present receive such aidfor the following reasons:

1st. The neglected condition of the children requires very peculiar qualifications in the Master, and not only would it be impossible for many an excellent Ragged School Master to go through the Examination required by your Lordships for certified Teachers in ordinary Schools, but were he able to do so, such capabilities would by no means test the fitness for his peculiar duties, while other qualifications of a very different kind are indispensable. The Masters, therefore, are not aided.

2nd. The arrangements respecting Pupil Teachers and Stipendiary Monitors are inapplicable in Ragged Schools. Such arrange-

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* See also "A Sermon preached in the Church of St. Mary the Virgin, Oxford, at the Lent Assizes, 1853," in "University and Other Sermons." By John Field. M.A., of Magdalene Hall, Oxen, Chaplain of the Berkshire Gaol, Reading. London: Longman and Co. 1853. It is sufficient to add, that the sermon is quite worthy the author of the valuable work "Prison Discipline," to which we have in this and former papers been so much indebted.

ments are devised for the purpose of training Teachers. It cannot be your Lordships' desire to train Teachers for the next generation from the most degraded children of this; and even were it desired to form Teachers from this class of Society, the want of early training, no less than the character of the instruction given in Ragged Schools, would render the children trained in them unable to pass the examination which is required.

3rd. That Industrial Training given in Ragged Schools, which is a most important part of their system, tends to form habits of Industry rather than to teach a Trade, and though its results have been found to be very beneficial, yet the fluctuating nature of such Schools prevents that progress which your Lordships' regulations require in the case of ordinary Schools.

4th. The Buildings for such Schools are necessarily in poor parts of towns, and however well adapted they may be for the purpose, they will seldom be such as would receive a Grant from the Committee of Council under existing regulations.

5th. The Schools themselves must necessarily be in such an Educational Condition that they would hardly be considered entitled to receive Grants of Books and Apparatus under your Lordships' present regulations.

Ragged Schools, or Free Day Schools for the Destitute, are therefore at present virtually excluded from aid. They perform, however, a very important work by acting on a class as yet uninfluenced by religion or general education. But such Schools to be of use must be efficiently conducted. To be so, a much larger amount of support is required than suffices for the maintenance of ordinary Schools, inasmuch as no pence are paid by the children, and a larger staff of Teachers, many of them Industrial, is required.

The most strenuous efforts on the part of benevolent persons have hitherto failed to raise an adequate income for such Schools, or to carry them on as they would desire.

Your Memorialists would therefore respectfully, but earnestly pray—

1st. That Masters who give satisfactory proof that they are fitted to carry out the objects of Ragged Schools be aided by a Grant from your Lordships.

2nd. That Monitors articled for two or three years, and undergoing an examination calculated to test their fitness for assisting in these Schools, should receive as in ordinary Schools, a reasonable payment for their services, and that a greater number of them should be allowed.

3rd. That your Lordships' Conditions in respect of Buildings, Industrial Training, and Apparatus, should be so modified as to meet the circumstances of such Schools."

If further proof of the necessity and utility of a legislative enactment, such as that in the foregoing memorial prayed, be

required, it is afforded by the following excellent *Report*, of Mr. Edward M'Gauran, the Master of the Roman Catholic Ragged School, of the Roman Catholic Parish of St. Andrew's, and for which we are indebted to the Rev. J. P. Farrell, the Manager and Superintendent of the Institution.

It is a boys' School, and we are pleased to find that it is not alone a Ragged School, but is, in addition a Sunday School, and we hope most earnestly that it will soon become, like the Broomer School and Dormitory in Strand Street, an Industrial Training School. Of all the Ragged Schools in these Kingdoms this is, we believe, the only one to which the Board of Education has given assistance, and yet it must be admitted from our facts and proofs already quoted, and long since before the Council of Education, that no Educational Institutions are more worthy Government aid than the Ragged Schools, be they Educational only, or Industrial, and in addition, Feeding Schools. The *Report* from the St. Andrew's School is as follows :—

"*To Rev. J. P. Farrell, Manager and Superintendent of the Andrean Free National School, Cumberland-street, South.*

Andrean Free National School,
February, 1854.

Sir—In compliance with your request, I beg to lay before you the following particulars of the working of this school since its opening on the 23rd of May, 1853, for the education of pupils unable to pay the usual weekly fee of a penny each.

Description of the School.—The school is entered by two doors on the north side. Opposite the doors are two fire places in which fires are kept during five months of the year. On each of the other sides are three windows which open above and below, thus securing the advantage of sufficient ventilation. The room measures 73 feet in length, 36 in breadth, and 16 in height. There are 12 writing desks, each 21 feet long—in point of quality, there is no difference between them and those in the Model Schools, Marlborough-street. Each desk accommodates 14 boys writing, and therefore nearly 170 children can write together. The circles in which the children stand, when in classes, are marked at convenient distances by brass nails in the floor.

Description of the Children.—A considerable number of the children are orphans ; the parents of the remainder, male and female, are in the majority of cases drunkards. Notwithstanding the vigilance of the police, and the certain penalty of 14 days' imprisonment, in case of detection, the orphans almost universally, and in some instances even those who have both parents living, subsist by begging in the public streets. Frequently on making enquiry into the cause of a boy's absence from school I have received the answer, "he got 14 days, sir." No person seeing those children immediately upon admission,

with their hair growing wild, their whole bodies covered with dirt, and their filthy tattered garments, could avoid coming to the conclusion that they had been very sadly neglected. Their morality was in perfect keeping with their appearance. Nothing that I had before conceived of precocious depravity enabled me to form the faintest idea of that which came under my observation during the first two months of my experience in this school. Feeling confident that this monstrous evil, unless destroyed at the outset, would in time acquire a strength not to be resisted, I determined to meet it at once, and to spare no labour, however painful, in the endeavour to crush it effectually. I accordingly applied with all the energy I could command, setting apart an hour every day for the investigation of complaints; but I found all my pupils such inveterate liars that it was with the greatest difficulty I could elicit a confession even of faults to which I had been myself an eye witness. This state of things placed me in a rather difficult position. The vice of lying was first to be subdued before I could even attack the grosser immorality which it sheltered. I had a very large attendance and no assistant—there was no time to be lost—some effective plan must be adopted forthwith. I made up my mind that no matter how numerous the cases requiring investigation, I would be satisfied should I succeed in detecting even a single liar a day. As the children perceived that I pardoned those who told the truth, and that I was determined to hunt down the liar, who had no chance of escape (for I took in hands those only whom I knew I was competent to manage) the difficulty of reform became gradually less It was no longer holding out to the last. At the daily investigations each began to show an eagerness for his own case to come on that he might be relieved from suspense by simply telling the truth. These investigations lasted for nearly two months, and I am happy to say have well repaid me for my trouble, as except against a few new boys I have not since heard any complaint of a serious nature.

Discipline.—No boy is allowed to speak unless on business, and then he holds out his hand as a sign that he wishes permission. Orders, general and particular, are not only obeyed promptly, but without the least sign of reluctance. In passing to and from, and also in moving through the School, the children march in a single file, keeping the step and with their hands behind. The great rule for order and regularity, "a time and a place for every thing, and every thing in its proper time and place," is constantly inculcated and rigidly adhered to. In fact, every thing is ready five minutes before the period specified in the "Table," in order that there should not be a moment lost when the proper time has arrived for commencing the next subject. By having the necessary arrangements completed before the time, all confusion is avoided; the children have their books or writing materials at their hands, classes are supplied with instructors, and the whole machinery moves, as it were, of itself—no noise—no bustle—no disorder of any kind.

Attendance.—In a large School like this, where the children are taught in classes, regularity of attendance is of the greatest importance. As the teacher proceeds gradually, making the class under-

stand each lesson before he commences the next, and so continues till he finishes his instructions on a given subject, it is evident that a child absent even for a few days, finds it extremely difficult, if not impossible, to overtake his class fellows. In this School, for some time subsequent to its opening, there was hardly a pupil who did not absent himself two or three days in each week. To make my teaching effective I was therefore under the necessity of devoting two or three days to lessons on a division of a subject which would otherwise require only one day. This was a really serious loss of time and labor, as in such a state of things it would require, *cæteris paribus*, two or three teachers to effect as much in a given time, as one teacher in a school regularly attended. Knowing that irregularity of attendance is owing to a want of interest in the school on the part of both parents and children, and that to excite such interest by literary improvement alone must be a work of time, I resolved to have recourse to means calculated to effect my object more speedily. These were simple enough. I suggested the propriety of distributing strong linen bibs from time to time to those who should appear cleanest and be most regular in attendance. This suggestion having been acted upon, I lost no time in informing the parents or guardians of those who were absent, that a large quantity of linen had been purchased to make bibs for the boys, and that no child, no matter how ragged, should get one unless he attended school regularly, had his hair cut short, and his face washed every morning. A complete change has taken place since the first distribution of bibs. The long matted hair has been cut off, coal dust and soot have disappeared from the face, hands and feet, the crowd of children "late" is no longer to be seen round the door after 10 o'clock; and, an increase in the daily attendance of nearly 20 per cent. of the number on roll, with an actual increase of 117 has been the result.

Table Showing the Number Admitted, Discharged, and Removed, in each of the Classes, from the Opening till 13*th Feb.* 1854.

Classes.	Admitted.	Discharged*	Removed.	Remaining.
First Class	580	351	58	171
Second ,,	163	111	24	86
Third ,,	43	34	2	31
Fourth ,,	3	3	0	2
Total ...	789	597	84	290

* Some boys who were discharged for irregularity of attendance, (see Rule 6) have been re-admitted, and are included in the number admitted.

Organization.—The working power consists of two Trained Teachers, three paid Monitors, and twelve special class, or unpaid, Monitors. The paid Monitors have been selected from amongst the smartest and most intelligent boys in both schools. One is paid sixpence, and each of the others, one shilling weekly; these payments to be increased in proportion to their improvement, both as regards their literary acquirements and their efficiency as Monitors. They teach two hours daily, call the Rolls, distribute requisites, and each has his share of the school accounts to keep. The unpaid Monitors are selected from those of the higher class of pupils who are most willing to teach, and who can attend the morning lesson at 9 o'clock. As these boys receive no payment for their services, it is evident that they would soon get tired of teaching if not encouraged in some other way. They are instructed specially by one of the Teachers every morning, in those subjects which their duties as Monitors prevent them from attending to during the hours of general instruction, and they are allowed an extra quantity of bread. Once a week they receive a lesson on the manner in which they should conduct their classes, as to order and method of teaching. Every Monitor has his own particular class, and as the number removed to a higher class depends upon his efficiency, an account is kept by the Teacher of the number which he removes in each class, and at the end of the week the Monitor, from whose class the greatest number has been removed, is presented with a small premium. It takes very little time to keep these accounts. Besides the emulation they create amongst the Monitors, they are a check on the boys themselves; for, before this plan was adopted, they were found strolling about from class to class in the same division. The improvement of the Monitors, paid and unpaid, is by no means neglected; on the contrary, it is the anxious desire of the Teachers to have them well grounded, at least in the subjects which they have to teach. Candidates for the office of paid Monitor constitute a special class. When a vacancy for a Monitor occurs an examination is held, and the boy in the class who answers best is promoted. The name of any member of the special class who absents himself from the morning lesson without permission, whose attendance is irregular, or who has not given satisfaction in the conducting of his class, is struck off the Monitors' Roll. The Teacher examines the classes receiving monitorial instruction in regular succession, to ascertain the amount and quality of the instruction imparted, and to remove those whom he finds qualified. After examining a class he teaches it for some time, to afford the Monitor a practical lesson in teaching. He takes advantage of this opportunity to direct the Monitor's attention to the common practice of bestowing all care on one boy, and leaving the others to wait for their turn; telling him that, with this way of doing business, supposing there are ten boys in the class, each boy, instead of being occupied the whole time, is working only the one-tenth of it; and that, therefore, one Monitor who keeps alive the attention of his entire class, is doing as much, without working harder, as ten Monitors who teach individually.

I have carefully prepared the following Table :—

Ages of the Children.	*Per centage of the number in Attendance.*
5 years and under	25·5
Between 5 and 6	6·5
„ 6 „ 7	6·1
„ 7 „ 8	8·4
„ 8 „ 9	11·5
„ 9 „ 10	9·3
„ 10 „ 11	10·6
„ 11 „ 12	17·1
„ 12 „ 13	5·0

Occupation of Parents.	*Per centage of the number on Rolls.*
Labourers	54
Gasmen, Carmen, Servants	9
Tradesmen	5
Total	68

Rules.—1. The Teachers attend every Monday morning, from 9 till 10 o'clock, to admit Pupils.

2. No child having any infectious disease, or deficient in personal cleanliness, can be admitted or retained.

3. Children wishing to be admitted must apply to the Teacher on Monday morning, from 9 till 10 o'clock.

4. The doors are closed every morning precisely at TEN O'CLOCK, and the children are dismissed at three, except on Saturdays, when the Schools are closed at Twelve o'clock.

5. An opportunity for separate Religious Instruction is afforded every day, from half past ten till eleven o'clock.

6. If any child be frequently absent, or absent five days successively, and the cause be not made known to the Teachers before the expiration of the five days, such child will be discharged from the School.

I have the honor to be, Sir,

Your obedient servant,

EDWARD M'GAURAN."*

This is, doubtless, a Roman Catholic, and, therefore, one which may be considered a sectarian School. But we contend that the full benefit of the National System should be

* This excellent Report is entirely the composition of Mr. M'Gauran, and all the facts detailed are the result of a system formed and carried out by himself. He was trained in the Marlborough-street School, and is a credit to it.—ED.

extended to these Schools: that is, we are of opinion that every creed in those Kingdoms should have the right to demand for it's own people, if it will, a fair share of support—but we would prefer, if possible, to see our ragged juveniles of all religions gathered beneath one roof, to learn God's law, each according to the religion of his parents, even though that religion were but nominal. It is only by adopting either of these modes of governmental support that the movement can become a popular one in Ireland.

We have stated, that the St. Andrew's School receives support from the Board of Education; but the support is merely that given to it as a minor National School. The Commissioners have no power to recognize a Ragged School, although we have reason to consider that they would be most willing to do so if permitted by the Legislature. Were the St. Andrew's School INDUSTRIAL IT WOULD BE PERFECT.

And now that our paper upon the subject of Reformatory and Ragged Schools is concluded, and re-stating that in our next number we shall display the advantages and disadvantages of the various systems of Prison Discipline, and of Convict and Penal Labor, we think it right to observe, that however much the philanthropist may feel gratified in the success of all and each of these questions, the tax payer has equal cause for self-gratulation. If the one experience satisfaction in contemplating the improved method by which education is combined with reformation,—the other can as truly feel elated, because his property is rendered more secure, and fewer calls are made upon his breeches pocket for the support of the Gaol, the Workhouse, the Hospital, and the Convict Ship. Would that these things had been known to our fathers; would that they were *fully* known now, for well has it been written—"What hecatombs of virtue may we not have sacrificed, merely by a mistaken process in punishing vice! How much, also, may we not have multiplied sinners by an erroneous definition of sin."*

* See "Transportation Not Necessary." By C. B. Adderley, Esq., M.P. for North Staffordshire

Art. VI.—EMIGRATION, EMIGRANTS, AND EMIGRANT SHIPS.

1. *Annual Report of the Colonial Land and Emigration Commissioners.* 1853. Presented to Both Houses of Parliament, by Command of Her Majesty.
2. *Act for The Better Regulation of Passenger Ships.* 15th and 16th of Victoria, Chapter 44. Royal Assent, 1852.
3. *Memorandum on the Same, for the Use of Emigration Offices.* Published by The Emigration Commissioners. 1853.
4. *Reports to The Board Of Trade, on the Loss of "The Annie Jane" and "Tayleure," Emigrant Ships.* 1854.

There are certain periods of time, corresponding with the arrival of the chief day trains of the Great Southern and Western Railway, at the King's Bridge Terminus in Dublin, when a procession, fraught with most striking and most melancholy interest, even to the casual observer, may be observed setting out from the point of our noble quays nearest to that Terminus, and wending its painful and mournful way along the whole line of the river, to where the beautiful pile of the Custom House is distinguishable in the far distance, towering amongst the masts of the shipping.

Striking is the sight to a Dublin eye, if only because of the unusual throng upon the quays:—a throng not easily paralleled even in our busiest thoroughfares elsewhere. The sad indications of dependance and decay, which Lord Byron saw in the

"Thin streets and foreign aspects"

of the fallen Queen of the Adriatic, are yet more plainly to be observed in Dublin; and hence to the citizen or accustomed visitor, the slightest appearance of a crowd in our streets becomes immediate matter of remark and wonder.

Melancholy, *most* melancholy, is the sight to the eye not only of the Dublin citizen or resident, but to the eye of every Irishman, who is worthy of being so called. And indeed the spectacle is one of sadness and gloomy foreboding to each humane mind, to every statesmanlike mind, no matter of what clime or country its possessor may be, when he is made aware of the meaning and actual character—the causes, and the only too

well proved, and now admitted evil effects, of this mournful procession, which, on following it to the shipping, he finds to be the outgoing of a People!

What he thus sees is, as we have stated, a long, continuous procession, or stream, for the whole length of the mile and a half, or two miles, from the South Western Railway Terminus at King's Bridge to the Custom House (opposite to, and in the vicinity of which, the ships are berthed in waiting for their prey) a mixed stream of men, women, and children, with their humble baggage, hurrying to quit for ever their native land!

It is not (at least at present, whatever it may some time ago have been,) a departing crowd of paupers: but unhappily an exodus of those who may be regarded as having constituted, as it were, the bone and sinew of the land;—the farmers and comfortable tenantry—the young and strong, the hale and hearty—the pride and the prime of our Nation!

Why and wherefore is this? The causes of it are said to lie deep, and to be difficult, if not altogether impossible of explanation and elucidation, without a long and intricate inquisition. This is a purely gratuitous assertion. It is not the case in fact. It is most certainly not the case as regards the original and great leading cause. Minor and subsequent influences may possibly be found to need detailed investigation and delay; that is, if their operation be considered extensive enough to make it worth while to delay. But this is at best a very doubtful question.

The real, and simple, and original cause is to be traced in the confessed and indisputable fact of the legislative and administrative mismanagement of our country—or, to express ourselves more briefly—in her mis-government.

At this point of the argument Englishmen at once, and energetically ask, "What! do you attribute the potato rot, which first gave the signal for the Exodus of the Irish peasantry—do you attribute this infliction of Providence, this Divine visitation, to English devising and English agency?"

Frankly, we are half disposed to meet this querulous, self-accusing, enquiry on the part of Englishmen, with an affirmative. Their evil handling of Ireland, or that of their Government, so predisposed her for the ravages of the calamity in question, and so heavily aggravated those ravages, that the miseries thence resulting may be almost entirely ascribed to England; and thus, the practical effect has been not otherwise than if the

chief food of the Irish people had been purposely and actually destroyed by an English army.

Ireland, to use a forcible expression, and indeed a striking confession, of William Pitt, when speaking, in 1785, of the policy observed towards her by Great Britain up to that period:—"has been systematically deprived of her resources." She has been so drained by the united agencies of absenteeism, concentration of offices and public establishments in England, and taxation beyond her ability, and directly in violation of the Articles of Union, that all classes of her population have suffered in more or less degree.

The overwhelming competition of her richer neighbour, whose strength and whose wealth have never been subject to the wasting influences recorded in our melancholy history, has continued in our own days that repression of commercial and manufacturing industry in Ireland, which was begun by legislative enactment in the seventeenth century, and vigorously and relentlessly carried on by the same means throughout the eighteenth, until within a few years of its close.* The consequence has been that the whole pressure of population is thrown in Ireland upon the land; while the value of that land, estimated by its actual working profit, has necessarily been diminished by the absence of trading and commercial prosperity: no law of social economy being more clearly established, than that the various branches of industry in a country are mutually dependent and mutually supporting, and therefore that the annihilation or depression of one inevitably occasions injury to the others.

We have used, with an especial purpose and meaning, the expression of "estimating the value of land in Ireland by its actual working profit." This is to be carefully distinguished from the nominal and forced value which it held for a long period, owing to circumstances of no happy omen or operation. The total want of other resources, save those connected with agriculture, and the consequent pressure before alluded to, of the whole industrial population on the land (with comparatively insignificant exceptions in one—the Northern—province of Ireland,) inevitably tended to swell the rental—from the kind of auction bidding that occurred among the people whenever a plot of land was in the market. The amount

* See IRISH QUARTERLY REVIEW, Vol. III. No. 11, p. 537, Art. "Maguire on the Developement of Irish Industry."

thus reached in figures was plainly forced, and in fact nominal,—the starving peasants whose biddings were the bases of its calculation, almost invariably failed, in more or less degree, to perform their exorbitant obligations; and all the powers of coercion in the landlord's hands—and those powers were neither few nor simple—seldom ended by accomplishing anything beyond the substitution of another struggling creature—similarly large of promise and scant of performance—for the wretch turned out upon the road, to starve and die.

The effect of this general impoverishment upon the large proportion which the agricultural classes of Ireland bear to the whole number of her population—a proportion which cannot be less than two-thirds — has been to reduce them to a very low, because a very economic, standard of living. From this they were deprived of all chance of escape by the state of the law of landlord and tenant in this country, whereby the landlord, or the landlord's agent—generally more exacting and merciless than himself, even in his own straitest necessity and sorest need—was enabled at will to raise the rent; and did raise it, whenever he saw, or thought he saw, from any little increase of comforts, or decency of appearance, indications that the tenant was able to struggle onward, and might be induced to pay, or, under strong coercion, to promise to pay, a higher rent. Hence, the unfortunate tenant was reduced down to the lowest stage of living, and the potato being the most prolific article of nourishment, and far the cheapest, the potatoe became his only food.*

When the terrible disaster of 1845—46, the *"Potatoe Rot,"* as it is popularly termed, came upon a country and a people so circumstanced, wide desolation and death were the inevitable results! The poor had not means to purchase other food; and the help which England extended proved but a most insufficient, partial, and temporary resource. Those who perished not in the first seasons of distress, hastened to fly from a country that appeared doomed; and as they found a refuge on the other side of the Atlantic, the strong domestic affections for which Ireland has ever been so noted, stimulated them incessantly to labor till they could transmit, to their less fortunate relatives at home, the means of joining them in America.

Successive failures, during seven successive years, of that

* See "The Taxation of Ireland," in Irish Quarterly Review, Vol. III, No. 12, p. 883; and see in Vol. IV, No. 13, p. 200, Art. "The Irish Land Question," for a full disquisition on these topics.

which had been the staff of life to the Irish peasantry, not only served to keep alive the impulses that had thus stimulated flight among the timid, but which had likewise broken down the spirit and the resolution of the most hopeful and most persevering—until it seemed as if the cry of "sauve qui peut" had gone forth throughout the land. The one thought and the sole purpose of making or saving up as much as would pay the expenses of the American voyage took possession of the popular mind, to the exclusion of every other, and Ireland nearly altogether ceased to be regarded by her people as a home and an abiding place!

To examine into the extent and nature of this wholesale outgoing—this "Exodus" as, in the affected language of the day, it has been called, and to give our readers some idea of the miseries that are undergone by the poor exiles in their flight, is our object in the present paper. We have introduced the foregoing topics because, in truth, it is difficult to enter upon details without the preliminary exposition we have made, and the points reviewed do really constitute a veritable and necessary part of our subject, although apparently more in the nature of a digression.

We shall now insert a table showing the extent to which the emigration from Ireland has extended, from the year 1846 up to the year 1853, as estimated by the Government Board specially charged with the superintendence of emigration, and styled the "Colonial Land and Emigration Commissioners." Of these gentlemen we shall have frequent occasion to write; and for brevity's sake shall henceforth style them "The Commissioners," requesting our readers to bear in mind the designation, whilst we shall set out in full the special title of any other body, or Board of Commissioners, to whom we shall have occasion to refer.

It is to be premised, ere giving the following statistics, that they include departures from the Clyde and Mersey, as well as from Irish Ports. This is at once accounted for by the well known fact, that a very large proportion—so large as to render the remainder insignificant—of the Irish Emigration crosses the Channel to English and Scotch Ports in search of the vessels ultimately to bear them away.

Of the Irish domiciled in England a very few indeed have been known to emigrate; and no deduction need be made for them from the sum total, estimated by the Commissioners, of the drain from Ireland.

The following then is their estimate, after allowing for the English and Scotch in the same vessels with Irish :—

Years.	Persons.
1847	219,885
1848	181,316
1849	218,842
1850	213,649
1851	254,537
1852	224,997
Total of 6 years	1,313,226

Money sent by Irish in America, for passage out of friends.	
1848	£460,000
1849	540,000
1850	957,000
1851	990,000
1852	1,404,000
Total for 5 years	£4,351,000

We have also quoted the statement of amount of money-remittances from Irish in the United States and Canada, (chiefly the former) as a point of equal interest with that of the number of emigrants. The money amount is actually *under-stated*: for, as the Commissioners remark, in page 10 of their last *Report*—presented towards the end of last Session—"large as these returns are, they take no account of money sent home through private hands, of which we have no means of obtaining information, but which can scarcely be supposed to be inconsiderable."

Incidentally, and in passing, we may note a rather curious fact open to some conjectural enquiry. The money amount sent home in 1851 was more than double that sent in 1848, yet the total of Emigration in the season succeeding the former period was only 6,000 less than that in the season succeeding the latter,—the numbers being, respectively, 218,842, and 224,997 : allowing that the cost of the passage has been cheapened one-third, or nearly so, in the interval, there still remains a very large amount, the disposition of which is not apparent. The readiest account to be given of it is, that it was spent in the immediate and urgent necessities of the first dreadful season of distress and famine.

Before dipping into any of the intricacies of figures in detail, we wish to afford the reader a sufficient, general idea of the conditions under which the extraordinary Emigration-movement we are considering has proceeded, and under which it is still progressing.

Australia is the point of one great division of the Emigration; and North America (including both the United States and

British possessions) is the goal of the other. The proportions which prevailed during the last periods of which we have an account—the years 1851 and 1852—were as follow :—

Years.	To the United States.	British America.	Australia.	All other places.	Total.
1851	267,357	42,605	21,532	4,472	335,966
1852	244,261	32,876	87,881	3,749	368,764

The increase in the latter year of the Australian Emigration not alone clearly accounts for the trifling decrease of the American total, but shows that the temptation of the gold discoveries is beginning to operate powerfully.

There are the two following *subdivisions*, as they may be styled, of the Emigration. To Australia there is an Emigration conducted not only under Government regulation—that is, under superintendence of the Commissioners before alluded to, but actually promoted and mainly paid for by them. There is, secondly, what is called the free Emigration, namely, that which is indeed subject to the Commissioners' supervision, but *originates* in private enterprize, and is mainly controlled by private agreements. The Australian Emigration includes the two subdivisions just mentioned, but the American Emigration is altogether of the last, or second, description—that styled "FREE."

Attempts to regulate the "Passenger" trade date earlier than the present century, and indeed began at a very early period of the acquisition and settlement of the North American Provinces—the present United States. The reader is, doubtless, aware of the system by which it was, for many years, attempted to supply the deficiency of labor in those provinces,—a period extending even so far back as the date of the Duke of Monmouth's Rebellion in 1685, when it originated with the infamous Jeffries.

The system was a compound of convict transportation and of the slave trade, both in their worst forms; and it was productive of such miseries and horrors, that feeble as was the public opinion of those days, it became concentrated enough to compel the ruling powers to devise means of mitigation and control. Subsequently, under the increasing pressure of public odium, the system was gradually restricted more and more, until it shrunk to a mere shadow of its pristine injustice. But

its total and absolute relinquishment dates only from a few years previous to the outbreak of the American Revolution.

We would here willingly dwell on the history of Emigration, forced and voluntary, during the times to which we have alluded. But it would be impossible to deal at all suitably with the pressingly important subject of our present Emigration, were we to give place to what does not immediately and directly concern it.

It was not till some time after the conclusion of the American war in 1785, that voluntary emigration began to assume importance enough to attract the special attention of the Legislature As to convict-emigration, or transportation—(which, on the cessation of the system under which it was carried on to the colonies, or *"plantations"* as they were called, of America, had found a new outlet in the discoveries of Captain Cook in the Pacific,)—the active superintendence of Government officers, not only at the port of embarkation, but during the voyage out, and at the port of landing, provided chiefly for its requirements. And whatever power was wanting for its better regulations was given, from time to time, in occasional clauses of what were then known as *"hotch-potch"* acts of Parliament:—acts drawn up with a view to include, within the compass of one statute, the legislation for a variety of matters not deemed of sufficient magnitude to be entitled to the dignity of a separate act of Parliament for themselves.

To this clumsy, and, as it appears to our eyes, really disgraceful expedient, resort was subsequently had, for a brief period, when regulations were to be imposed upon free emigration. The latter received a sudden and extraordinary stimulus after the settlement of the United States as an independent country; and such were the evils and miseries which the want of experience in the emigrants, or the cupidity of the exporters of the human freight entailed upon the latter, that ere a dozen years had quite elapsed since the stream began to set outwards strongly, Parliament was forced to lay aside its apathy, and commenced to legislate, separately and especially, for free emigration.

The first act for this purpose was passed in 1803, and takes its place on the Statute Book, under the designation of the 43d of George the Third, chapter 56. By this act the number of passengers to be carried in any British vessel was limited to one person (including the crew) for every two tons of the unladen part of the ship; and in foreign vessels two persons

for every 5 tons. Vessels to North America were required to be victualled for 12 weeks; so as to afford a daily allowance for each person of half a pound of meat, one and a half pound of biscuit or oatmeal, half a pint of molasses and one gallon of water. A surgeon was to be carried, and he and the master were each to give a bond, in £100, to keep a true journal; and a bond was also to be given by the owner of the ship for her seaworthiness, and for the safe delivery of the passengers.

There was some intermediate alteration in detail; but it was in the year 1817 that the Legislature made alterations of any importance. The number of passengers was, by the act of this year, the 57 Geo. III., c. 10, further limited to one person for every two *and a half tons*, and the dietary was improved. In 1823, the 4th Geo. IV., chapter 84, was passed, reducing the number of persons on board, *including the master and crew*, to one person for every *five* tons. Each passenger to have a space to him, or herself, of six feet in length and 2½ in breadth. Two children under 14, or three under 7 years of age, were to be computed as one adult passenger. The Bonds mentioned above were to be in the amount of £20 *for each passenger;* and a surgeon should be provided if only 50 persons, *including the crew*, were on board.

In 1827, the act, 7 and 8 George IV., chapter 19, abolished all restrictions and legal regulations of "the passenger trade" — i. e, of emigration.

In the very next year the extreme impolicy of this abolition was acknowledged, and an act passed reviving the former regulations with few exceptions. The proportion of persons on board, to the ship's tonnage, was however a good deal altered; being fixed at three persons for every four tons.

The next Legislation was in 1835, when the ratio was again altered, being made three persons to five tons; and every passenger was declared entitled to ten clear superficial feet of space on the berth deck. By the last two acts meat was struck out of the dietary, and there was no requirement of a surgeon for less than 100 passengers. The latter were to be victualled, or receive a shilling a day in lieu thereof, for every day of detention.

The next act of importance was the 5th and 6th Victoria, chapter 107, passed in 1842; under which the present regulations of giving each passenger a berth six feet long by one and a half wide, with six inches beneath the lower of the two tiers of berths, and six feet height between decks of the ships, were

enacted. Three quarts of water, the quantity now directed, were to be issued daily to each passenger; and the dietary was allowed to be varied by the substitution of five pounds of potatoes for one pound of bread-stuffs. Boats were to be on board in the ratio of three to a vessel of from 250 to 500 tons, and four to those above that register.

In 1847, 1848, and 1849, various alterations in details were made by acts passed in each of those years: but that a satisfactory state of things was not yet arrived at, is proved not only by the very fact of these alterations so quickly succeeding each other, but by that of their all being subsequently amended by an act of the year 1852, which is the law existing at this moment for regulating the carriage of passengers.

It is now necessary to give the reader an idea of the nature of this last mentioned enactment, which is judicially quoted as the 15th and 16th Victoria, chapter 44. We shall here, accordingly, analyze it, contrasting its chief provisions as we proceed with some of the leading regulations enacted in the United States for the same purposes.

It is necessary first to state the legal definition of "*Passenger*" and "*Passenger Ship*" under the laws governing Emigration.

It is, perhaps, the shortest course to state at once, that *Cabin Passengers*—i.e., persons paying for accommodation in either the first or second cabins of the emigration vessels, are literally not recognised as "*passengers*" at all! They are subjected but to a very few of the regulations of the law; and are taken notice of for those purposes, not under the denomination of "*passengers*," but as what is called "*statute adults*," (when estimating the respective allotments of space,) or as "*individuals*" when calculating the whole number of human beings on board, in discovering if the number reached that at which there is a legal obligation for the engagement of a surgeon.

"Passengers" then, in the view of the Emigration law, (or "Passengers" act,) really mean only those who take passage in the cheapest and least comfortable part of the ship, where they sleep and eat, and spend the chief part of their time with as little privacy, or particular privilege, as the occupants of a common room in a barrack on shore.

It is held that first and second cabin passengers, being better off in worldly means, and usually better informed persons than the others, are comparatively well able to take care of

themselves, while the poorer and more ignorant require the protection of legislation. This is very plausible, and certainly *ought* to be the case: but unfortunately, afloat as well as ashore, the devil, as some one has said, has made "practice contradict theory;" and accordingly the first and second cabin passengers have, on the average, been found to be nearly as helpless and useless to themselves, as the poorer class, notwithstanding their better means of providing all comforts.

However, we have only to do with the law as it stands, and those whom it especially contemplates. We shall proceed then to review its provisions as soon as the definition of "Passenger Ships" is stated. The following is the official definition, as given by the Emigration Commissioners themselves:—

"A passenger ship means a *sailing vessel*, carrying more passengers than in the proportion of one statute adult to every *twenty-five* tons (of registered burthen,)—or a *steamer* carrying more than one person to every *ten* tons of her registered tonnage on any voyage to which the act applies. Vessels of war, transports, regular mail steamers, and vessels trading to the Mediterranean, are wholly exempt from the operations of the act."*

Sections ten, twelve, seventeen and eighteen, of the English "Passengers" Act contain the main provisions regarding the number of persons on board, and the space to be allotted to each. Counting every one on board, including Master, Mates, Seamen, Doctor, Stewards, and Passengers of every grade and degree, there must not be more than one person to every *two* tons of the registered tonnage of a sailing ship. In calculating the space allowed to each individual, the master and his officers, the stewards also, and the first and second cabin passengers are not provided for; but solely those whom we have before mentioned as coming under the denomination of "statute adults":—viz., each "passenger" of the age of fourteen years and upwards, *or two passengers under that age*, and above one year. Infants less than twelve months old are not counted at all,—a serious defect upon which we shall have occasion presently to observe. To each of these "statute adults" the English law allots twelve clear feet if the voyage be to North America, and fifteen feet if the vessel have to enter the tropics; or if the voyage necessarily occupy twelve weeks.

Here the first discrepancy between English and American legislation, relative to emigrants, is found to exist, and a very

* Emigration Commissioners' Memorandum, 1852-53.

important discrepancy it is. The American act requires not less than fourteen feet for each passenger on the shorter voyage; and where the tropics are to be visited not less than *twenty* clear feet to each. There is no reason—that is, no satisfactory reason, why the English act should not have similar provisions. The English Commissioners say, indeed, that "the act prescribes the *minimum*, but not the *maximum*;" and that there is nothing to prevent the charterers and fitters of Emigrant vessels from giving more space than that absolutely required by law. But this a delusion and a folly. There was nothing to prevent the parties alluded to from voluntarily adopting all the regulations now made compulsory, and which have so long been, as we have seen, the objects of legislation. Yet they did *not* adopt them, and consequently Parliament had to step in, and compel them to do what their own judgment might perhaps allow to be necessary, but what their views of their own interest prevented their doing of themselves. Space is valuable, it is scarcely necessary to state, aboard ship, as the more passengers can be crowded in, the better of course the money-returns of the adventure. Space, therefore, will never be voluntarily given up, and it has not been found so given in the past. The "*minimum*" the Commissioners so complacently talk of, has been in truth and practice the "*maximum*," as might have been expected.

Of the entire amount of space allotted to each "*statute adult*," six feet by one and a half is to be occupied by his bed, or "berth." Those berths are like shelves ranged along the sides of the ship, in two tiers. The height "*between decks*," or to use shore phraseology for the purposes of easier explanation, the height from that which is the floor, to that which serves as the ceiling of the common apartment where these berths are, is enacted to be not less than six feet, and of that there must be one half foot—six inches—between the bottom of the lower tier of berths, and the deck or floor. This is for the purpose both of keeping the sleeper below from the damp and dirt of the floor, and of enabling the latter to be cleaned under the berths. The remaining five feet and a half are to be divided, as may seem best, for the equal accommodation of the two sleepers.

It will be seen that this is rather close packing, although a great improvement on the state of things twenty-five or thirty years ago. But, practically, it often happens that this space is much encroached upon by the beams, or to use the

land phrase, the "*joists*" of the decks below and overhead, which are often in evasion, if not in direct violation of the law, allowed to intrude:—the six feet enacted by the "Passengers' Act" being counted from between those beams, and not from the bottom of the beams themselves.

Several other evasions are found to occur, attributable either to the cupidity, or recklessness, or both, of the parties fitting the ship:—such as the slender construction of the berths, whereby they easily get broken down at sea—the want of proper divisions between them—the intrusion of articles other than passengers' luggage upon the "clear 12 feet" enacted for each. And a crying evil and monstrous evasion has been noted in some ships, in the absence of a sufficient screen to keep the unmarried men on board from the view of the married persons and females. A bulkhead is, indeed, to be seen in several vessels, according to the requirements of the Act, which provided that "all unmarried males should be berthed in a compartment by themselves in the fore part of the ship; or in separate rooms if the ship be divided into compartments, and fitted with enclosed berths."* But this bulkhead, where found to exist, is "*lowered*," that is to say, is of open work, in order (it is stated in excuse) "*not to impede ventilation*," and consequently, for all purposes of decency, or, perhaps, any purpose at all, it is entirely useless.

Sections 16 and 23 of the English Act deal with the important subjects of "Light and Ventilation," which are also partially touched upon in other sections. Certain tubes or funnels of metal are to be used, in addition to the ordinary sea-expedient, "wind-sails," or cylinders of canvass distended by hoops, suspended down the hatchways. The Inspecting Emigration Officer is to satisfy himself as to the efficiency of those tubes or funnels. But there is one important matter that has escaped the notice of English Legislators, while it is carefully provided for in America. This is, the admission of air by the hatchways.

For the information of such of our readers as may be little acquainted with the arrangements of ships, it is necessary and sufficient to explain the term "Hatchways," as meaning certain square, or nearly square, openings in the deck, where the ladders are fixed, by which seamen and others on board ascend or descend, from or into, the interior of the vessel. They may

* Commissioners' Memorandum, 1853.

be considered as forming both windows and doors to that interior,—because even where there are openings in the sides (called by sailors "ports," or, if of small size, "scuttles") they are generally closed at sea, unless in very large vessels, and in bad weather must be shut in all: so indeed, in bad weather, must the ordinary hatchways, to prevent the water pouring down, when "a sea"—that is a *wave*, comes inboard and breaks on the upper deck. It is, of course, evident that when they are closed, light must be altogether, and ventilation very seriously, impeded.

Aboard of English ships, under the existing law, there is no remedy for this; and the unfortunate passengers below may bake, and sweat, and swelter in their fœtid confinement for days and nights, while the bad weather lasts, with little or no chance of even a temporary relief. The Americans, however, have taken care to provide a remedy in their ships.

By Section the 1st of the Act of Congress of the United States, (chapter 41 of the 30th Congress) year 1848, it is provided that there shall be—

"A house" (i.e. a wooden erection, something in the nature of what is called the companion aboard our larger steamers in the channel,) "over the hatchway, or passage way, with two doors, the sills of which shall be one foot above the deck, (in order to prevent water getting below) and one door, or window in the same shall always be kept open."

This is practicable from there being doors, or windows, or both, at each side of this "house"; and those on the *lee* side, —i.e. the side remote from the wind and sea—can be safely opened in almost any kind of weather.

It is true that in this, and some other particulars, in which American Legislation, and solicitude for the welfare of the poorer emigrants, have been proved greater than is the case at this side of the Atlantic, English vessels entering American ports—we should say more correctly *ports of the United States*,—are compelled to conform to American law. But why should it not be provided that before they start, they shall have accommodation equal to that given by the Americans? It is easy, at the end of a voyage, to make things appear as if all had been done as required, or to lay to the score of "accidents at sea" the deficiencies. And thus the spirit of the American law is often defeated, while its letter appears to be complied with. But with regard to the whole of the Australian Emi-

gration, and of that to the British North American Provinces, there is no semblance even of attention to, or adoption of, any other provisions save those laid down in the English Act of Parliament referring to Passenger Ships.

Having alluded to the United States' Emigration, this will be the proper occasion and place, to bring under our readers' notice what must be confessed to be a very great defect indeed, in the international arrangements and conventions at present existing between that country and the United Kingdom. The Americans, as it will have been seen, have been busy like ourselves with legislating to control and regulate emigration, and securing the interests of the poor and unprotected. They have indeed passed no less than three acts on the subject in the brief course of three successive years, to say nothing of former acts relative thereto. The years 1847, 1848, and 1849, respectively, witnessed the passing in each of an act amending the previous ones. The last mentioned act, chapter 6 of the 31st Congress of the United States, passed, as we have stated, in 1849, does not, indeed, materially vary or add to the provisions of the Act of Congress of 1848; but still makes some amendments; and it, and the act it confirms, are generally read together, when there is legal question upon the emigration regulations in force.

At this present moment the American Congress is understood to be again actually legislating, or preparing to legislate, in further amendment of these regulations and provisions. Similarly in England there are symptoms of dissatisfaction with the existing state of the law; and a Committee is sitting, even while we write, to take evidence upon its defects—as fearfully illustrated by the loss of life aboard emigrant ships during the last eight or nine months; and to discover in what manner, and to what extent, further precautions can be taken for the safety and well being of the voluntary exiles still leaving our shores in such large numbers.

Yet busy as both Legislatures have been, and anxious as they have shewn themselves to arrive at a solution of the difficulties they have found in the way of establishing a thoroughly satisfactory system of Emigration superintendence, it has never been mooted, at least openly, in either of them, that a mutual concert—a mutual agreement to provide for the enforcing of each other's regulations—would be a very practical and useful mode of securing their common purpose. At present the regula-

tions of either have force and validity only in their own ports respectively; and the moment the ship is clear of the land, *bound to a foreign port*, the regulations under which she sailed become practically of no more value than waste paper!

We state, bound to a *foreign* port—i.e. an English ship bound to an American port, (and of course to any other port not of her own country,) and an American bound *vice versâ*. English ships bound to Canada indeed, or to any of our smaller North American possessions, and those bound to our Australian territories are of course still subject, on arrival, to English authority, and their masters, or owners, or both, can, (after rather a circuitous fashion,) be called to account, and punished for contravention of the regulations under which they sailed. And indeed the emigrant in a British ship going to the United States cannot be said to be altogether without redress, but only *provided he come back to England to prove his case in person*—a contingency not very likely to occur.

Even with regard to the supervision in our own colonial possessions, there is much to be amended. Whether through neglect, fear of giving offence to strong mercantile interests, or actual official incapacity, the surveys on arrival have been, in some instances at least, exceedingly imperfect and superficial, and in others they have been rendered nugatory by the previous disembarkation of at least a portion of the emigrants. Naturally these poor creatures are anxious to quit the floating prison, where they have been so long shut up among all manner of festering abominations; and the moment they set foot on shore they do not willingly return *even to the thought* of the ship; and thus the means of procuring evidence of infringement of regulations, or other bad treatment on board, are quickly and entirely lost.

The first impulse on hearing of the possibility of even one case of this neglect naturally is, to cry out that Government should at once be called upon to see to the rigid enforcement in the colonial ports under its authority of its own regulations. We would not be just if we neglected to state that several of its officers appointed for this purpose are known to do their duty thoroughly; and that in many cases, where mischiefs are patent, those officers have failed to remedy them, simply for want of power. Their hands should be strengthened at once. And we are confident that the public voice will equally be raised for immediate and *effective* negociation with

the United States, to concert with the American Government, and establish with their concurrence and simultaneous action, such regulations *(with means of enforcing them,)* as shall ensure a thorough examination of Emigrant Ships, immediately on arrival, and before a single passenger has left for the shore.

As we have—rather before we exactly intended it—placed before our readers some recommendations, it may be as well here at once to make one which will perhaps surprise them. WE WOULD RECOMMEND THAT FREE EMIGRANTS SHOULD BE TREATED AT LEAST AS WELL AS CONVICTS IN TRANSPORT SHIPS!

The following, shortly, are discrepancies which positively exist, and surely ought not much longer be allowed to continue, between the treatment of the two classes in question.

No vessel would be chartered by government for convict transportation, save one that stood in *Lloyd's Register*, at least in the *second* class, in reference to general seaworthiness, if not in the first. But, with regard to free Emigrants, although for that portion of them who go out directly and immediately under the auspices and care of the Colonial Land and Emigration Commissioners—(a comparatively small section out of the whole number)—some such provision is made, for the others there is no such stringent regulation. All that is stipulated for is, that the Local Inspector of Emigrant Ships shall *"satisfy himself"* as to the fitness of the vessel—a most imperfect and insufficient provision, as we shall presently have to show, even where there is an experienced officer in the above capacity—but a provision altogether illusive and nugatory in some ports, where the business of inspection may chance to fall into the hands of an ignorant landsman in the capacity of a Custom House Surveyor, to whom, in the absence of a regular officer, the duty is entrusted.

Even naval officers are not of themselves wholly competent for this duty. They require the attendance of an experienced master carpenter to arrive at a real knowledge of the state of the hull of the vessel. Masts, sails, yards, cabin fittings, and what seamen call "ginger-bread work"—i.e. ornamental work, may be easily surveyed and pronounced upon; but it takes a skilful sea carpenter to ascertain the paramount point—the soundness of the bottom.

The next particular in which the treatment of Convict Emi-

grants is much superior to that of free Emigrants lies in the fact that they are insured a sufficient and regular dietary, in which meat appears at least on three week days, besides Sunday—alternating on the other three week days with meat-broth. Free Emigrants get no meat, the law being only permissive, and, as it were, suggestive of its being given—but not absolutely requiring it. In this case, as in that of the measurement of space, the contemplated *minimum* enacted is found, in fact and practice, to be the maximum.

Thirdly, a convict ship is not allowed to carry cargo, lest the space for its human freight should chance to be diminished thereby, or the accommodation deteriorated; and also, lest the cargo by its nature, *or storage*, might endanger the good management, or perhaps the safety of the ship when meeting heavy weather. On the other hand, emigrant ships—i.e. vessels bearing free emigrants—are allowed to load what cargo their owners please, provided the before mentioned *minimum* of space is left to each passenger. And we shall presently cite cases proving the injurious and dangerous nature of some cargoes—especially of iron—which, until rather recently, was loaded with no restriction save that in reference to space just stated, and which is still permitted, to the extent of TWO-THIRDS of the *registered tonnage!*

Fourthly, convict ships, and indeed all ships *directly* under the control of the Emigration Commissioners, and chartered by them, are bound to have at least four seamen for every hundred tons of their registered burthen. Free ships had, and have, generally speaking, only three—or even a *less* proportion in some cases! True it is, that under the pressure, we rather suspect of the Emigration Committee at present sitting, a Government regulation has very lately been issued to compel *all* passenger ships to conform to the rule of four men for the hundred tons. But already the clamorous and powerful shipping interest at Liverpool has succeeded in getting that rule temporarily suspended, and if the public voice be not raised in its favor, there is much danger of its being totally abrogated.

Finally, the most minute and particular reports of the state of health, during the voyage, and on debarkation, of the convicts is rigorously exacted; and the officials whose office it is to make these reports, are sure to be punished if the least neglect of duty is found to have occurred. We have already shown that no such reports seem attainable under the

present system with regard to the far larger proportion of the emigration,—that to the United States,—and even in reference to the emigration to our Australian and North American dependencies, the method of inspection has been anything but satisfactory.

After the explanation we have now given, of our opinion that free emigrants should be treated at least as well as convicts, we are confident the recommendation will receive warm concurrence from every man who may read these pages.

One more suggestion ere we proceed to quote from records, official and otherwise, of indisputable facts, proving the necessity of attention to these matters. We make this recommendation the more confidently as it is one which the truly benevolent, truly admirable Mrs. Chisholm most anxiously desires to see adopted, and which, though suggested doubtless by her own kind womanly heart in the first instance, has been more and more impressed upon her by her great experience in the voyages which, in her great anxiety, she has made from time to time, and which enable her to form her own opinions.

The suggestion or recommendation is, that children, even the youngest—even *infants*—should be allowed the same minimum of space given to adults. Air and ventilation are more necessary for the health and well being of young children than for strong men and women arrived at their full growth. Yet neither the American nor the English laws enact that infants, of one year and under, shall have any such provision in their favor, or be considered at all! And England limits children, under fourteen, to one half only of the miserable "*minimum*" of space allowed to adults. In this point the American law, though still very defective, is superior to ours. It insists that all children of EIGHT years of age, and of course from that age upwards, shall have equal accommodation with their elders; and enforces the limit of half space, only in the case of children between the ages of one year and eight.

We trust that Mrs. Chisholm may succeed in her most benevolent endeavour in this respect, as in others; and that even the infant in arms will be considered, and allowed for, in the apportionment of space. A fearful proof of the necessity of amendment in this particular lies in the fact, that in the comparatively well regulated ships under the particular control of the Commissioners, *three-fourths* of the mortality, observable in recent years, was of *children* under the age of five; and out

of the remaining one-fourth the deaths of children, at and above that age, have to be further deducted.

We now come to quotations. The first which we shall present are from *Reports* of the emigration directly and wholly under the control of the Colonial Land and Emigration Commissioners, and therefore the best managed and most carefully watched. The funds applied to this particular emigration are in part derived from the sales of land by Government in the Australian dependencies, and in part derived from the private means of the emigrants themselves, where the latter happen to be of a more comfortable class of people than those who form the bulk of the ordinary exiles. There is, then, no want of funds or of superintendance, yet the following facts have been proved, and are found in

"*Reports of the Immigration Agent and Immigration Board of the Colony of Victoria, to the Secretary of State*:—

Immigration Office, Melbourne, 19 October, 1852.

SIR, I have the honour to call your attention to a practice which has recently prevailed in the transmission of immigrants from England to this colony, which, should it be persisted in, will I fear be eventually attended with very serious results. I allude to the instances which have recently occurred of ships of the largest size (viz. from 1,400 to 1,700 tons register), being chartered for this service, each vessel carrying from 700 to 1,000 souls. It must be apparent to all, that in the event of any disease of a virulent and contagious nature breaking out among such a mass of human beings, during a voyage of three or four months, its progress would be far more difficult to check than where the number of passengers is more limited, and consequently more manageable. As yet no such fearful visitation has occurred; but still the results of the voyages of the three ships to which I more particularly refer, viz., the 'Bourneuf,' of 1,495 tons, the 'Marco Polo,' of 1,625 tons, and the 'Wanata,' of 1,442 tons (carrying respectively 754, 887, and 758 passengers), show so large a mortality as compared with that which has usually taken place in ships of a more reasonable size, that the fact would be of itself a sufficient warning against a continuance of the practice. In the case of the first of these ships, the deaths, although principally confined to children, amounted to the large number of 84; in the 'Marco Polo,' although a most magnificent ship, and under most efficient management, 52 deaths occurred; and in the 'Wanata,' a species of low typhoid fever prevailed, which subjected the ship to a lengthened quarantine, 48 cases of illness having terminated fatally. In all these instances the surgeons-superintendent ascribed the mortality in great measure to the size of the ship, and the large number of souls on board, and they expressed a strong opinion, in which the medical members of the Immigration Board here most fully concurred, that it would

be advisable for the future to limit the number of immigrants despatched on board of any one ship for so long a voyage, to from 300 to 400 at the utmost. Independently of the principal reason which I have above alluded to for the discontinuance of the employment of ships of so large a size, there are many other facts which might be adduced in support of the objection. 1. The difficulty of managing and controlling so large a body of all ages, sexes, and religions; the harassing and wearying nature of which duty, and the weight of the responsibility incurred, appears to have caused the serious illness of the surgeons of all the three ships above mentioned. 2. The crowded state of the ship, and more especially of the 'tween decks in bad weather, the extreme difficulty of proper and efficient ventilation, the want of which was at times severely felt (upon the upper deck particularly), and which no amount of care could at all times prevent. 3. The inconvenience experienced in getting access to the luggage and the stores for so large a multitude, the difficulty of providing proper cooking apparatus, and the want of room on deck for a proper amount of air and exercise. 4. The inconvenience which must be experienced in making the necessary arrangements for the reception of so many immigrants at one time, and the heavy expense which may be entailed upon the Government, should circumstances render it necessary to place vessels in quarantine, as occurred in the case of the 'Wanata.' The 'Marco Polo,' was despatched in undue haste from Liverpool: the decks are reported to have been lumbered with luggage. As the ship was carrying an unusual and excessive number of passengers, this want of arrangement is much to be regretted. The galleys were decidedly too small;—the plumbers' and some of the carpenters' work bad, and carelessly done....From the haste in which the ship was despatched many stores were mislaid. The Immigration Board visited the 'Wanata.' The fittings of this vessel were in many respects very imperfect, as had been frequently found to be the case in other ships despatched from the same port. The water-closets, more especially, appear to have been a source of constant annoyance, and even to have threatened serious consequences, from the difficulty of obtaining proper cleanliness and ventilation. The locks of the doors were in many cases perfectly useless. The hospital accommodations were far too limited for the large number of passengers, and quite inadequate to ensure the proper separation of the fever patients from the more ordinary cases of sickness. The large number of deaths during the passage may be partly attributed to the very unadviseable employment of a *two decked* ship in the conveyance of so large a number of passengers. The surgeon distinctly traces the origin of fatal illness in many instances to the exposure of a large number of the immigrants to a whole night's drenching rain, on the deck of the steamer from Glasgow to Liverpool. The suet on board proved to be so bad as to cause its condemnation; and a still more serious evil was discovered in the badness of the water, a very large proportion of which was quite unfit for use, being full of a slimy gelatinous substance, resembling frog-spawn, and impregnated with a most nauseous flavour; to such a pitch did this evil

extend, that it became a matter of the most anxious consideration whether it would not be advisable to put in at the Cape of Good Hope, notwithstanding the risk incurred by the stormy season, a course which it was at length decided that it was inexpedient to take. The Board cannot avoid remarking upon the inexpediency of embarking so large a number of souls in one ship. The danger to the general health incurred thereby, and the difficulty of thorough ventilation being, in their opinion, irresistible arguments against the continuance of the system. The 'Bourneuf' is roomy on deck, and her fittings appear to be in good order, with the exception of the shoots for carrying off dirty water, &c. &c., which had been removed; and of the water-closets, which were reported of inferior construction and leaky. The galley was on a plan which had occasioned some difficulty in maintaining due order during the voyage. A disagreeable smell was perceptible on the starboard side aft, on the quarter deck. The lower deck was dark, and in bad weather difficult to ventilate. The hospital accommodation was insufficient, as it was entirely on the upper deck, and not larger than would have been required for that deck alone. The supply of extra bedding for the use of the hospital, and in case of accident, was much too small: in fact, there was not even one bed to each berth in the hospital. The Board is of opinion that in so large a ship, at least two dozen additional beds should have been furnished. The surgeon had represented in Liverpool, that the number of beds he had received for the hospital aboard, and for all contingencies, was insufficient:—being only two large and eight small beds. But he got no more."

To these extracts we subjoin the remarks of the Lieutenant-Governor of Victoria, C. J. Latrobe, Esq., on the case of another large emigrant ship, which arrived at that colony about a month later than the ships already commented upon.

"Sir, Melbourne, 9 November, 1852.

My despatch, No. 142, of the 21st October, with its inclosures, will have directed the serious attention of Her Majesty's Government to the evils and disadvantages attendant upon the chartering of vessels of heavy burthen for the conveyance of large numbers of emigrants to this colony.

2. I regret to be under the necessity of furnishing another example in proof of the propriety of the question being raised. On the 4th instant, I received intimation through the health officer, of the arrival of the emigrant ship 'Ticonderoga,' from Liverpool, with 800 Government immigrants, at the Port Philip Heads, having lost 102 by death during her voyage, from typhus and scarlet fever, and having an equal number sick on board of the same diseases; the surgeon-superintendent also sick, and the vessel in want of medicines and medical comforts."

The Home Government called upon the Emigration Commissioners to meet these statements, which they proceeded to

do with much evident anxiety to have the facts fully laid open, as to be enabled to apply the proper remedies where their system required it. Still there was, naturally enough, some manifestation of the reluctance of officials to confess themselves at all at fault, or *in fault*, and, accordingly, great and elaborate pains at explanation were taken by them, with, however, not much success. After suggesting various causes for the mortality complained of, they at length confess that two-decked ships are *not* fit for the healthful conveyance of passengers, and that they were only driven to take them up by the great demand for labor created in our Australian dependencies by the results of the gold fever—adding, as a concurrent difficulty, the then state of the shipping market, which greatly crippled them in their choice. And, ere concluding, they in effect admit the whole case made against their system, (at least in some of the more important points alluded to) by the following paragraphs:—

"On the first intimation which reached us of the mortality in our ships, and before receiving either of the letters now under reply, we had already advertised our intention to employ no two-decked vessels in the emigration service, and had determined on a more stringent rule with regard to children. We shall hereafter accept no families in which there are more than two children under seven, or than three under ten; and the desire to emigrate to Australia is now so strong, that we can make the change without any risk of not filling our ships. We shall also take measures so to allot our emigrants, as to reduce as much as possible the proportion of children shipped in vessels of more than 1,000 tons burden.

It is proper to inform the Duke of Newcastle, that of 98 ships engaged by us during the last year, only ten have carried more than 500, and eight (of which these are four,) more than 600 persons."*

We now come to some of the more recent cases of loss of life in emigrant ships, which have appalled the public mind, and given it its present strong bent towards insisting on further legislation to protect the human freights of those vessels. The following is the *Report* of a naval captain of high character, Captain Beechey, (attached to the Naval Department of the Board of Trade,) upon the melancholy circumstances attending the loss of the "Annie Jane," in September last, upon the iron bound shores of the little Island of Barra, on the west coast of Scotland.

* "Report from Victoria Colony, and from Emigration Commissioners:" Ordered to be Printed 8th March, 1853.

Captain Beechey was sent down by the Board to which he is attached, as just mentioned, to enquire into the case and endeavour to ascertain the original causes of this most fearful disaster, which involved the sacrifice of the lives of no less than three hundred and twenty-one, out of three hundred and eighty-five passengers, besides five persons of the vessel's crew.

"'The 'Annie Jane' was a ship of 1,294 tons burthen, owned by Messrs. Holderness, of Liverpool. In August 1853, she took on board a cargo, principally of iron, and embarked 385 passengers; and she had a crew of 35 persons in all (afterwards increased to 41), of which about one half were Canadians. On the 24th August she received her clearance from the Emigration Office, and put to sea the following day; about noon she passed Rathlin Island; the wind was then fair, and the ship had shaped her course for Quebec. Almost immediately after putting to sea the ship was found to roll heavily, and the emigrants suffered much on this account. On the 26th, while running with the wind on the quarter, with whole topsails and top-gallant sails set, the labouring of the vessel was so great that the three topmasts and the head of the mizen-mast were carried away, and the master, at the request of the passengers, bore up, and returned by the South Channel to Liverpool, where he arrived on 31st August, after an absence of seven days. The passengers, on their return, made great complaints of the overcrowded state of the ship, of the filthy condition in which she was, and of the manner of serving out the provisions, and of the ship in general; and several quitted her under the impression that she would never reach her destination. These complaints were heard in the proper quarter, and as regards the provisions, adjusted by the owner, with great liberality, paying each of the passengers a compensation for the injury he complained of, although it did not appear to the Emigration Officer that he was called upon to make the payments to the extent which he did. The master of the ship, who had commanded many iron laden vessels, being under a conviction that it was the cargo being stowed too low in the hold that was the occasion of the heavy rolling of the vessel, had part of it removed from the run and placed higher up. The mizen-mast was scaphed, the topmasts replaced, and some rigging, which had been a year in use and well stretched, was substituted for the former set, and the vessel was again ready. The crew were now strengthened by an addition of six seamen, which increased their number to 41, including officers, stewards, carpenters, &c.; and on the 9th of September, the passengers who had quited the vessel being replaced by others, the 'Annie Jane' again put to sea. As before, she steered through the North Channel, with the wind at S.S.E., and everything seemed prosperous until the 12th, except that the ship was still found to roll and labour in a very unusual manner, much to the discomfort and suffering of the passengers.'"*

* "Report of Captain Beechey, R. N. On the Loss of "The Annie Jane."

Here follows a detailed description, intelligible only to the nautical reader, of the various accidents, &c., to her spars, gear &c., and the various courses steered, the winds and other such matter. We omit all this, to come to what will be more generally comprehended, and which contains the account of the final catastrophe itself. The vessel has been driven into a small rocky bay, and the *Report* thus proceeds :—

"She struck at some distance from the shore, and broached to. The sea swept over her decks and washed away the house before the mainmast, the long boat and about 100 passengers. Also three other boats on the poop, to which several passengers had clung as a last resource. The scene was beyond description! The foremast unstepped, its heel went through the bottom and in falling cut the side up. The mizen-mast fell, in the same way; also ripping up clean, and separating the after-part of the vessel. The sea washed into the steerage and cabin through the breach, and the ship heeling over, many were unable to get up from below and were drowned. The poop too fell in and crushed many more."——The witness, Morgan, observes; 'The passengers broke through the bulkhead into the cabin and were all screeching. A sea struck the ship. I was at once up to my middle in water, and in about 2 minutes all was quiet.'—Two hundred souls had in fact ceased to exist! * * * *
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"Upon a careful review of the evidence, which I have been at much pains to collect from the captain and the crew, as well as from the emigrants who were passengers in the vessel, there can be no doubt that the loss of the 'Annie Jane' was occasioned by her having taken on board a cargo of iron, without due care having been observed in its stowage. The improper disposition of the weight caused the vessel to roll and lurch so violently, that she tore away her masts, and strained and leaked throughout, and being unable to keep off the land, in her crippled condition, she was ultimately wrecked. Under these disastrous circumstances she had a crew, who, though in appearance were more than ordinarily good, were not sufficient in number for such a vessel, especially at such a season of the year, and were besides composed partly of Canadians who with very few exceptions were afraid to go aloft at sea, and who either would not or could not understand the orders that were given. By the agreement (A.) there were 41 persons in all, of which 9 were either mates, stewards, surgeon, cooks, carpenters, leaving only 32 seamen for a vessel of 1294 tons—(a number much too small.) * * * * * * * * * * *
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"The numerous accidents which have occured to passenger ships from this country seem to render necessary some more stringent measures than have hitherto been in operation. From a return of the casualities which have happened to these vessels in the last year, it seems that out of seventeen vessels which put into Cork damaged, and leaky, thirteen were laden with iron, and of those which put

back to Liverpool seven-ninths had cargoes of the same description. It is well known that this material forms a most dangerous cargo, unless it is properly stowed, and that no vessel will stand, without injury, the working and straining it occasions under such circumstances. By the evidence of the master of the 'Annie Jane,' who has been many years employed in the Baltic trade carrying cargoes of iron, it will be seen that he is strongly of opionion that 'vessels which carry these cargoes should not be allowed to embark passengers, as the space required for them does not admit of the iron, when carried in large quantities, being stowed sufficiently high to render the ship easy at sea; and in the event of springing a leak, there is great danger of the lives of all on board.' But without attaching to this opinion more importance than it may seem to deserve, I am disposed to insist on a more rigid supervision of the stowage of the ship. In the Stockholm trade, where deals are plentiful, the iron is raised and kept out of the extremities of the ship and away from the side, by planks and by balking the ship off, but in Liverpool deals are not so plentiful, and a mixed cargo prevents this being done; besides which, it appears that, with the present system, no specific plan of stowage can be followed, as the goods do not come down to appointment, and the ship being advertised to sail on a particular day, whatever cargo is ready must be shipped. The masters have frequently remonstrated against this pratice, and also against vessels being brought too deep in the water with these heavy cargoes. I am aware that the vessels which embark passengers at Liverpool are so numerous that it is impossible for the present staff of Emigration Officers to exercise a satisfactory supervision in this particular; and, in consequence, I would strongly urge upon the attention of the Emigration Commissioners the propriety of appointing a public Stevedore, whose duty it should be exclusively to superintend the stowage of the cargoes of all vessels engaged to carry passengers, and to render to the officer in charge of the port a rough statement of the manner in which each vessel's cargo is stowed; and when it appears to him that there is improper stowage, he should immediately represent it to his superior officers.

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"The vessel does appear to have been in a disgraceful condition after she cleared the land, from the temporary nature of the water-closets; but this was increased by the reluctance of the passengers themselves to go upon deck, that their berths might be cleaned, which was even so great that the surgeon was occasionally under the necessity of fumigating the apartments to make them get up. To go further into this question would only be to open out the inconveniences and miseries of emigrant ships. It may be impossible to remedy them all, but I shall offer in advance a few remarks which the present inquiry has suggested, as to what I conceive might and ought to be done to render these vessels more appropriate to the occasion. * * * * * * * * * *

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"The complaint of the very temporary and slight nature of the fittings does appear to have been just; and from the evidence of the master

it would seem that this is not an uncommon occurrence in vessels of this description, and that as soon as the vessel gets to sea the partitions come down with the working of the vessel. This should be remedied, and the water-closets especially should be more substantially built, particularly those appropriated to the females; which indeed ought not to be in an exposed part of the vessel. In the 'Annie Jane,' the master states in his evidence that it was quite pitiable to see the women endeavouring to reach these places, getting drenched with the sea, and to prevent exposure to the crew after they were thus washed away, resorting to the lower deck as an alternative, by which the ship was in a very filthy condition.

"I am fully aware of the difficult nature of the duty the Emigration Officer has to perform; the responsibility of detaining a ship, under such circumstances, when ready for sea, by refusing a clearance for the inefficient performance of particulars, is very great; still, this responsibility should be incurred and fully authorized. I would suggest, that whenever the Clearing Officer has any good reason to suspect the stability of the fittings, or the stowage of the cargo, or even the efficiency of the crew, either from their ignorance of the language or from any other cause, he be directed to refuse a clearing certificate, and until this is done we cannot expect any diminution of the numerous complaints and more serious casualties which have of late befallen vessels employed in the service such as that in which the 'Annie Jane' was engaged."

In the appendix to this dismally interesting *Report* is the following tabular statement, which, taken in connexion with the remarks of Captain Beechey on the dangers of a cargo of iron in passenger ships, strengthens the obvious necessity of a due revision of the present regulations affecting the loading of such ships—

"*Names of Vessels which have put into the Port of Liverpool with Emigrants on Board, whether English or Foreigners, between the 30th of September, 1852, and 30th September, 1853, with the Cause of their putting into Port, and the Nature of the Cargo.*

Name.	Cause of Return.	Cargo.
Clara Holmes	Loss of spars	Coals, iron, salt, &c.
Brewer	Leaky	Iron, salt, soda, ash, &c.
Ebba Brahe	Leaky	Salt.
City of Glasgow	Collision	Bale goods.
Shannon	Leaky	Iron, coals, and bale goods.
Daniel Webster	Leaky and loss of spars having been in collision	Iron, coals, and bale goods.
Annie Jane	Loss of topmasts	Iron, tea, soap, and bale goods.
Martaban	Leaky	Iron and British bale goods.
Isaac Wright	Leaky, having struck on a rock off Cape Clear	Iron, bale goods, earthenware, &c.

7th January, 1854. RICHARD POTBURY, Inspector of the River."

The temptation is great, to quote from the accounts of their sufferings and privations, given by several of the surviving passengers, evidently very intelligent witnesses. But we are anxious to avoid the appearance of unfairness, or one sidedness; and as the counter statements of those interested to refute the allegations of the passengers would tend to swell these pages beyond all limit, consistent with a proper consideration of the remaining topics we have to deal with, we shall avoid all party statements whatever, and only insert, from all the evidence given, the admissions of the master of the ship of the dangerous character of his cargo, his own objections to it, and his recommendations of a change in this respect, and in another of a not less important, though of quite a different, character, as given in the evidence of William Mason, Master of the "Annie Jane:"—

"1665." Of what did the cargo consist?—Chiefly of iron, copper, machinery, and ropes.

1666. How many tons did she take in?—About 1050 tons.

1667. Where was the iron stowed?—On the floor there was dunnage the whole length of the ship fourteen inches thick. Bar iron was on the dunnage, laid open to raise it high up. On the bar iron was railway iron from foremast to mainmast. On railway iron was machinery and oakum to stow it. In the centre of main hatch was a boiler and several anchors and chains; and these, with ropes, reached the deck. There were 400 tons of iron, rope, and soap, with some heavy machinery stowed in the 'tween decks, between the foremast and mainmast, full to the deck. Abaft the mainmast the space was appropriated to passengers, and in the after hold there was about twenty-five tons of carriage springs, and fifty tons of Canada plates, and a quantity of pig iron, perhaps fifty tons; then two tiers of water casks, and the passengers' provisions.

1668. What was before the foremast?—Four chain cables, under the coals, with the water casks.

1669. What was the draft of water?—Twenty and a half feet aft, and nineteen feet two inches forward, the first time; and nineteen feet three inches fore and aft the second time.

1670. Have you ever been in a vessel before that carried iron?—Many times, in far greater quantities, but vessels of less tonnage.

1671. Have you any rules for stowage of iron?—Yes; pigeon-court it to raise it as much as possible, to keep the ship easy.

1672. Did you see that this was done in the case of the 'Annie Jane?'—Yes.

1673. What control have you over the stevedore?—If he does not stow it to our satisfaction, we make him alter it at his own expense.

1675. Relate what took place from when you first left Liverpool?—I left Liverpool on the 24th of August. I passed the Rachlin

Island on the next day, at twelve o'clock; and on the 26th, about noon, being squally at the time, the three topmasts and mizenmast head went over the side, the wind N.E. I cleared away the wreck, and bore to the South Channel, and arrived at Liverpool on the 31st, in the evening, after being seven days out. The ship was refitted, and I shifted about 100 tons of the Canada plates and pig iron to the 'tween decks from the after hold, and put light freight in its place, from the 'tween decks, to ease the ship.

1703. You say that you have commanded ships, before the present instance, which carried iron; if so what was your practice in stowing it?—In the Stockholm trade, where my experience has chiefly been, the practice is to floor the ship with deals to the height of the keelson, and then to commence to lay the iron open diagonally, first one way and then the other, carrying about eighteen inches width of deals along the wings on both sides of the ship up to the deck, and stowing the iron up against it, and to balk the ship in the 'tween decks, about twenty feet on each end, and then carrying the iron up to the upper deck. I have always found the ships to be very easy by doing so.

1704. Was this done in the case of the 'Annie Jane'?—No; it is not the practice at Liverpool, and it would be impossible with a mixed cargo to do so.

1705. Do you consider an iron cargo to be a safe one to carry with passengers?—Not when the iron is in large quantities, as it makes the ship labour, and cannot be carried high on account of the space being required for the passengers, and there is great danger to the lives of all on board in case of the ship's springing a leak. Besides which, without deals in the wings of the hold, the iron cannot be carried sufficiently high to make her easy.

1706. In taking an iron cargo at Liverpool, can you arrange the stowage of it according to what you conceive would be essential to make the ship easy at sea?—It sometimes happens that the cargo which I engage to have first does not come down to appointment, and I am obliged to take other goods that are ready. The ship is advertised to sail on a given day and she must go. The brokers insist upon your taking what there is, and I have sometimes had occasion to remonstrate against the ship being overloaded, and have threatened to leave if it was not remedied. The 'Admittance,' was obliged to put back to Londonderry, leaky, while I was on my outward passage, to discharge some of her iron, being too deeply laden.

1707. Have you not some control over the stowage, so as to urge upon the broker what you conceive to be right and beneficial to the ship?—I must do the best I can with the cargo as it comes down. I am told that the ship must go on such a day, and if I do not do the best I can to get the cargo in by that time, *I may perhaps be thrown out of employment in consequence.*

1708. Do you not think that such a practice should be remedied?—I do; and I believe it to be the opinion of all captains that I am acquainted with, especially in passenger ships.

1709. What would you suggest as a remedy?—I would suggest that an officer be licensed to superintend the stowage of such ships,

so as to regulate the disposal of iron and all heavy goods, and more especially in the case of passenger ships.

1710. Are not the fittings of ships which take passengers generallv of a very temporary kind?—Yes; and they frequently come down with the rolling of the ship after being a few days at sea, and I would recommend the adoption of the plan carried out in American ships, of having iron bedsteads suspended from the beams, both for ventilation, and cleanliness, and securitv. The water-closets also should be of a more permanent character, and those for the women built solid, either upon the lower or upper deck. It is quite distressing to see the women at sea endeavouring to make use of the water-closets usually provided, at times getting drenched with the sea, rather than be exposed to the crew, and frequently making use of the lower deck as an alternative.

1711. Have you anything further to say?—Nothing.

(Mr. Mason here handed in several translations of documents signed by different parties, passengers by the 'Annie Jane,' speaking of his conduct throughout as praiseworthy, and also one from Messrs. Holderness and Chilton, the owners of the late 'Annie Jane,' giving him a good character for eleven years.)

The above evidence having been read over to me, I declare the same to be true, to the best of my belief.

Witness, Thos. Gray, Wm. Mason.

This 15th December, 1853."

We have thus the strongest testimony borne to the inefficiency of existing regulations to secure, not merely the comfort, but the commonest safety to life in a passenger vessel whose owners do not voluntarily consider these points, and avoid what may interfere with them. The Emigration-Commissioners, in the 24th and 25th pages of their *Memorandum of Instructions* to their various officers in the outports, relative to the so much praised "Passengers' Act" of 1852, make the following remarks:—

"Besides articles enumerated, there is a general prohibition against taking as cargo or ballast any article, the nature or *quantity* of which may endanger health or lives, or the safety of the ship. It is thus questions *frequently* arise on salted hides, coal, *iron in an unusual quantity*, &c. With regard to iron, officers are instructed not to allow such a quantity (taken ordinarily at two thirds of the registered tonnage) as would be likely, from its weight, to strain, or endanger the ship; they are further directed to watch its stowage, so as to see it properly distributed fore and aft, and raised by chequering, or otherwise."

Now, in the first place, it will be seen that the "Annie

Jane" was loaded with iron, in the proportion to her registered tonnage (as given by Captain Beechey in his *Report* already quoted,) of more than *five-sixths* instead of *two-thirds*. Next we refer the readers to questions and answers at numbers 1703 and 1704, in the extracts from the Master's evidence just quoted, where they will see that no attempt is made, or (owing to the mixed nature of the Liverpool cargoes) *can* be made to alleviate the evils of an iron cargo, in the manner practised in Swedish ships. But questions 1705, 1706, and 1707, are still more significant. By them it plainly appears, that notwithstanding all the elaborate and boasted machinery of Commissioners, Inspecting Officers, and minor agents of Emigration-superintendance, and notwithstanding even the remonstrances of the sailing masters themselves—made at the imminent peril of losing their situations if they be too particular—the ship-brokers are the *real* controling parties; and upon their cupidity, or unexpected disinterestedness, it altogether depends what shall be the condition of the ship about to encounter a long and stormy passage, with an enormous crowd of helpless human beings packed on board!

The other important particular, to be here commented upon, is that mentioned in the answer to question 1710. Should not the practical recommendations of the experienced merchant captain therein given be insisted upon? Above all, should not the unhappy females cooped up in these ships be considered, and saved from the distresses and horrors here alluded to. There is a very large amount of evidence on this point, all to the same effect. The Emigration-Commissioners have been so far moved by the considerations it involves, that in the ships directly under their own control, they have always insisted on having water-closets, *between decks*, for the use of females and children; and there cannot be a question that what they enforce in their ships by a regulation, ought to be made compulsory by actual statutory enactment in all vessels carrying passengers.

Who can wonder, who will pursue to their legitimate conclusions, the startling thoughts which the words of the Master of the "Annie Jane," in his answer to question 1710, must suggest, that fever and cholera should be rife among the unhappy inmates of these ships! Can there be a doubt that the fearful loss of life by disease, announced in the newspapers as having occurred aboard of seven or eight vessels that sailed,

with the bulk of the autumn-emigration from Ireland, in September and October last, was greatly and mainly occasioned by the evils to which testimony is borne in the quotation to which we have referred. In one ship alone, it is said that nearly, if not quite, one hundred passengers perished, out of some 700, or upwards, who were crowded on board! We happen not to have by us, at the moment, the full particulars of this case, or of some others occurring at the same time, whose story was nearly as bad. But the following will be found quite enough to establish the urgent necessity for a close and searching enquiry by Parliament, and for such amendment of the existing "Passengers' Act," as shall make it really, what it evidently is *not*, a *protection* to life.

"The ship Marathon left Liverpool, on the 22nd of September, with 522 passengers, mostly Irish. She arrived at New York after a voyage of fifty-nine days, in which she lost sixty-four persons by cholera. The disease broke out on the 10th of October. The *New York Tribune* states that the Marathon arrived in port almost a wreck; for a number of weeks men had to be kept at the pumps both night and day to prevent the loss of the ship. The main-top-gallant masts were broken off, and the captain reports having lost several suits of sails. When he arrived in port he had scarce a stitch of canvass to spread. The ship was heavily laden with iron, and rolled very much, causing great leakage. The passengers were in a state of the most wretched poverty and filth. They were lodged on two decks, one above the other, and the atmosphere was festerously rotten, and almost hot enough to raise a blister. The decks were covered with reeking filth, to the depth of inches. 'They hadn't time to slick up before the health officer came on board.'

The passengers' provisions were exhausted three weeks before the ship came into port, and the wretched beings were reduced to the greatest want. Had the ship been delayed for a few days longer the people must have starved.

When mustered before the health officer, they presented a most fearfully emaciated appearance. The foul air and wretched food had almost completed that which the cholera had spared. They appeared to be famishing, and were eating half baked oaten cake and sea biscuit with ravenous avidity. The hospitals for the sick were situated at the bows of the ship, one upon each deck. Altogether they were capable of accommodating only eight persons. We have been upon many emigrant ships, but never recollect seeing any in so wretched a state as this before. But we were credibly informed that this vessel was sweet compared with some which bring cargoes of immigrants to this port. The wonder is that disease and want have left so many to tell the tale of their wretchedness."

The foregoing is from an American Newspaper, and illus-

trates so clearly, in its simple narration, the evils on which we have been dwelling, that we should but weaken its effect by remarks of ours. We therefore pass from it, with only this single observation, that the Act provides (Section 32) that ships making the North American voyage, with passengers, shall have 70 days provision on board; whereas the "Marathon" appears to have run short of provisions *three weeks before she came into port*; that is to say, in 38 days, and the passage occupied 59; and it is said that had she been kept out only a few days more, all hands would have been starved!

The case of the "Tayleure," lost on Lambay Island, in January last, has made the vividest impression on the Irish public, from the wreck occurring on our own shores, and almost at our doors. She had been not quite three days at sea when lost; and the evils noticed in the other cases we have stated had not time to develop themselves, if they existed. The defects of the law brought out by her loss are, the want of power to compel owners, or masters, of vessels to take proper measures for ensuring the fidelity of their compasses, and for providing nautical instruments indispensable to safe navigation. Also, and *urgently*, the want of a positive enactment to compel the employment of a sufficient number of seamen, and to provide that the vessels shall be fit for sea before leaving port.

The "Tayleure," with passengers for Australia, and a cargo of iron, left the Mersey without the usual precaution—generally and rightly considered indispensable for every ship, but most especially for one laden with iron,—of having her compasses tested, in order to ascertain if they were correct, or what might be their error. This is done by a process called "*swinging* the ship"—about which it is only necessary here to explain, that it is a comparison of the action of the compasses on board, with that of a compass in a fixed position on shore. The differences between the results are noted in what is called a "table of errors"; and this "table," or tabular statement, is copied and given to the Master, to be allowed for by him in his calculations at sea of the courses steered by compass. This necessary operation was altogether omitted after the disturbing cargo of iron was put on board! As a necessary consequence the "table of errors" was not supplied; and as a result of paramount importance, the Master was not aware that he could not depend on his compasses, and attributes his blundering up against the Irish shores, directly to their unfaithfulness!

The owner has been exonerated of all responsibility; he having given *carte blanche* to the Master. The latter, therefore, is the party to blame for the deficiencies cited, though not the only party, as we shall presently have to notice. And his case is made worse by his subsequent conduct. In the narrow seas he had to traverse, ere getting clear of English and Irish land, four hours is the ordinary time that a prudent seaman will keep his vessel sailing in one transverse direction; or eight hours at the utmost, where he is *certain* of being still in the enlarged portion of the Channel which is called the Irish sea. Yet the Master of the "Tayleure" kept his vessel on one tack, or "board," across Channel, for *fourteen hours*, although he did not know if he could depend, (which it turned out he could *not*) upon his compasses for the true direction of his course; and although he neglected the all-important expedient of "*sounding*"—that is, of endeavouring to ascertain, (according to sea-practice in cases where land is not seen though known not to be distant, and where the ship's position is, consequently, a matter of anxiety and doubt) whereabouts he was, by the comparative depths of the waters he was traversing, and the nature of the bottom below, as evidenced by the sand, or shells, or both, that are brought up by the grease, rubbed for that purpose on the lower end of the "lead," or plummet, used for sounding.

We have been much embarrassed in this part of our subject by our endeavour at once to avoid as much as possible nautical technicalities, and to explain, in popular language, all those we could not avoid. We need only add one more. There are two modes of turning a ship when under sail—to be perhaps in the simplest way, and certainly in the easiest, illustrated by comparing the different manœuvres to the action of a man, who when about to return on his steps, or walk the opposite way to that in which he has been moving, either turns his face, or his back in making the evolution. The one manœuvre is called "tacking," and is sometimes rendered impossible even for the best trimmed ship, owing to the extreme force of the sea and wind. The other, which is less advantageous as much ground is lost in performing it, is almost always possible; and is called "wearing." The "Tayleure" failed several times in tacking, but until the last and fatal moment succeeded in wearing. She took, however, nearly three quarters of an hour to do so, and lost ground each of the

three times that she did so, to the extent of upwards of four miles. This, alone, was a most dangerous thing in itself; and the Captain of the "Tayleure" ought, on *that account*, have returned, while it was yet in his power, to Liverpool, to report the dangerous unhandiness of his ship. That he ought to have done so is decisively, proved from the fact, that it was her final failure to manœuvre, at the critical moment, when the land was suddenly discovered, which completed her destruction.

Nearly 400 passengers perished on this awful occasion. The wretched survivors report the facts we have detailed, and which are indeed generally admited by the master himself,—as well as the further fact, that the crew seemed unequal to their duties, from the smallness of their number.

The owner here was not culpable, we repeat, because he was ready to do anything the Captain required. The latter was grievously to blame. But is not the conduct of the Emigration Superintendant at Liverpool to be deemed worthy of fully equal censure, when he "gave clearance," and thereby permitted an iron ship to go to sea, with a cargo of iron, without the ordinary, and most necessary precautions, to ensure the faithfulness of the compasses! And is not the system gravely deficient, under which such a *laches* could take place; and under which there is no provision for duly coercing and punishing a sailing master who should show himself so reckless as the one in question?

The Emigration Commissioners, as already noted, require in the ships directly under their own management, at least four seamen to be entered on board for every 100 tons of the vessel's register. This is exclusive of the master, the first mate, and in some cases of the junior mates—the cooks, stewards, and boys. This they absolutely insist upon, yet the "Tayleure," going as long a voyage as any of the ships alluded to, had much less, and was permitted to start, without an objection.

"She had on board" (writes Captain Walker, in his *Report* to the Board of Trade upon her loss,) "at the time of sailing, 2,516 tons—the register tonnage being about 2000.—She had accommodation for 472 passengers, and it will be seen, by the evidence of the carpenter, that she had heavy masts and yards to manage, whilst she would have, supposing all on duty, only twenty-one persons in a watch."—or forty-two altogether, counting officers, seamen and boys. "When it is remembered," he continues, "that this ship had to go a long voyage, to pass

through the tropics, and to encounter bad weather in high latitude where, in all probability, some of the crew would be on the sick list, I think that three men to the hundred tons, as now calculated, are insufficient."

Three men to the hundred tons would have made sixty seamen on board. Yet the unfortunate "Tayleure" was allowed to go to sea with only 42, including the boys: so that in fact she had not two seamen to the 100 tons!

The rule ought certainly to be made stringent, and of universal application, requiring the larger number of seamen,—i.e., 4 to the 100 tons: no very extraordinary number in itself when the size of Emigrant Ships, and the voyages they have to make, are taken into account. There has been a faint attempt to found an argument for exempting the American voyages from such a regulation, on the ground that the Emigration Commissioners have hitherto only required it for their Australian Ships. But the North Atlantic is subject to constant storms during more than one half of the year; and even in summer is frequently visited by a succession of the wildest gales: and in addition to the advisability that this goes to establish of an extension of the rule in question, there has appeared, even while we are writing, a positive declaration to that effect on the part of the Emigration Commissioners, who have proclaimed that, with the exception of the vessels actually "*on the berth*" at the moment—i.e. in the docks or at the quays actually receiving Emigrants, henceforth every Passenger Ship, no matter where bound, shall be required to enter 4 seamen to the 100 tons.

Much of the illness, or predisposition to disease, which has broken out on the ocean-passage, has been, by various competent parties, attributed in the first instance to the exposure and severe consequent sufferings of the poor Irish emigrants who are brought over by Steamers to Liverpool, there to embark for America, or Australia. These poor creatures are placed upon deck without other covering, save, in a few cases, a scant supply of "tarpaulins"—that is, painted or tarred canvass. The chance humanity of the officers of the ship, or the engineers, sometimes procures for a few of these sufferers the shelter of the little cribs called deck-cabins, or the unoccupied part of the platform in the overheated engine room below. But at best these resources are available to not one quarter of the number on board, and

the others have to brave the inclemency of the season and the weather, without any other protection save their ragged clothing.

We are relieved from the necessity of quoting mere newspaper statements on this subject, by the publication, at this moment, of the first brief *Report* of evidence given in March last, before the Select Committee of Enquiry into "Emigrant Ships" at present sitting. We find therein the following which we take from other evidence given by Mr. Sylvester Redmond of Liverpool.

Having stated that he had made several cross channel passages in which he had witnessed great sufferings on the part of the wretched deck passengers, he was asked

"1525. What did you see?—I saw the passengers exposed on the deck without any covering belonging to the ship, and the covering they had of their own was very scanty.

1526. Are you not aware that it is the practice on board some of those steamers to bring people down into the engine-room or the deck-houses, to give them shelter?—On additional payment that is the practice. It is only those who can pay who are allowed to go there.

1527. Do they supply tarpaulins to cover them?—No.

1528. Did you see this at night, in bad weather?—Frequently.

1529. You came on deck for the purpose of seeing them?—I went as a deck passenger for that purpose alone.

1530. How many persons have you seen exposed in that way upon deck at a time?—I have seen from 100 to 300 passengers.

1531. But were the deck passengers, who were emigrants, treated differently to the other deck passengers?—There was no difference.

1532. Then your complaint is that deck passengers are brought over from Dublin to Liverpool in an inefficient manner?—They are, decidedly.

1535. On board of these steamers carrying a large number of passengers, were cattle carried?—I have never travelled from Dublin to Liverpool, from the Quay or Custom House, but they always carried a large number of cattle.

1536. That is to say you have seen cattle on board?—Always; these are cattle boats.

1537. It is your opinion that the sufferings arise from carrying more on board of these vessels than they are authorised to do by the Act?—The sufferings of course are greater amongst a crowd of people than they would be amongst a smaller number; they are generally crowded round the funnel of the steamer, or huddled together in a most disgraceful manner; and as they have not been used to sea passages, they get sick, and perfectly helpless, and covered with the dirt and filth of each other. I have seen the sea washing over the deck of a steamer that I came over in one night, completely drenching the unfortunate people, so much so, that several of them got perfectly senseless. There were 250 deck passengers on board,

and they were in a most dreadful state; it was an extremely stormy night, and the vessel heaved about in a very awkward manner; the sea washed over her tremendously, and it was only by great exertions that some of these people were not carried over board. I could not get further than the head of the stairs, but very early in the morning, when it became light, I went up and saw 50 or 60 of these people, including some four or five children, perfectly stiff and cold. The captain was a very humane man, and although it was blowing a stiff gale of wind, I suggested to him to have these people taken into the cabin, and he did so, bringing the worst in first; they were all perfectly wet, and whatever clothes they had on were obliged to be taken off. There was a very fine boy, apparently dead, but, by a great deal of exertion, and rubbing him in hot water, and laying him before the fire, he was revived. A very interesting looking young woman, about 20 years of age, was so bad from the effects of cold and the wetting, that she remained in a state of insensibility from between about five o'clock in the morning, until we got into Liverpool about seven o'clock in the evening; the captain brought the people down in the cabin, caused a great fire to be made, and hot water to be got, and did every thing that humanity and kindness could do to revive them again.

1538. What was his name?—His name is Captain James Collis, of the 'Times,' but of the 'St. Katherine' at that time; this young woman remained in a state of total insensibility, although she was alive when we came to Liverpool. I, myself, did not think she would recover; she was put on shore, a medical person was sent for, and I subsequently learned that she did revive, but was very bad for several days. There were several old men and women; indeed all the passengers, with very few exceptions, who were strong young men, were in such a state, as that, if they had remained on deck, many would have died."

So convinced do the Commissioners seem of the serious nature and evil consequences of the hardships thus entailed upon intending emigrants, that in all cases where their control is paramount, they require that a cover shall be provided on board Steamers bringing such persons to *their* vessels. This is notably the case as regards the very large number who emigrate from Germany; and who, in the Steamers that bear them across the German Ocean to the shores of England, are either lodged below, under cover of the upper deck, or have a kind of housing built over the latter, to give them, literally, a roof over their heads.

Similar provisions have been carefully made for the comfort of the hardy soldiers at present on their passage to the seat of war. And wherever, or whenever, it has happened that convicts were conveyed in Steamers, they were also secured against exposure to the weather. Is it not then monstrous that the same protection,

so plainly necessary in the commonest interest of humanity, should not exist for helpless and enfeebled men, women and children who are crossing the stormy channel of St George, at all seasons, in their headlong and desperate flight from destitution and starvation in Ireland.

This latter class of evils will, in sometime hence, receive a partial mitigation, by the arrangement which the Government have, in answer to the very praiseworthy and well timed motion of Mr. Butt, M P. for Youghal, pledged themselves to carry out, viz: the establishment of an Emigration-depôt at Cork, for emigrants to Australia by the Commissioners' special ships. But we trust that the Committee now sitting will press upon the Government the necessity, not only of causing such depôts to be erected in Irish ports for all *American*, as well as all Australian Emigration; but also, pending the completion of them, the justice of compelling owners of Channel Steamers to provide full cover and shelter for the creatures now so cruelly exposed upon their decks.

We are warned to draw to a conclusion, at least for the present, by the length to which this paper has unavoidably run. Otherwise we should have, among many points yet untouched, to dilate upon the knavery and plunder to which the present system leaves the poor emigrant in a great measure helplessly exposed, during the interval between his landing from the Irish steamer on the quays of Liverpool, and his departure thence in the emigrant vessel. There is a fearful chapter to be written on the want of due preventive measures for the separation of the sexes, and preventing the crew from mixing with the passengers. The cooking arrangements too, though much ameliorated by the provisions of the last Passenger's Act, now, as we have stated, some 18 months in operation, require revision and much amendment, to prevent for the future the still frequent recurrence of cases of great privation, and even occasionally of *starvation*, among the old and the weak, the infirm, the females and the children. And it is most absolutely, indispensably, and immediately necessary that the provisions of the earlier acts, requiring the engagement of a surgeon where the number of passengers exceeded 50, should be revived, at least in times of cholera, or other epidemics; and that a stricter test, and more satisfactory examination should be enacted, to ensure that the medical men shall be worthy of, and fitted for, their trust, which unfortunately they have frequently proved not to be.

It is only justice to the Master of the "Tayleure," of whose conduct we have written with censure, to state, that a document has just been published, (ordered by the House of Commons on the 7th of April,) giving the Report of the Liverpool Marine Board *in acquittal* of that individual. The Board of Trade had called upon this Local Board, as part of the duties for which it was constituted, to undertake an investigation into his case, and to certify if he were worthy of a renewed certificate of fitness for the position of Master.

The following are the summing up, and concluding paragraphs of their *Report*:—

"From the whole of these proceedings this Board have been fully impressed with the conviction, that Captain Noble, notwithstanding the serious disaster with which his name is connected, possesses skill and ability both as a navigator and a seaman; and they have therefore no hesitation in reporting to my Lords their unanimous opinion—

"That John Noble is neither from incompetency nor from any other cause, either specified in the Act, or not therein specified, unfit to discharge the duties of a Master; and this Board therefore recommend to my Lords the renewal of his certificate of competency."*

Unfortunately, the tenor of the foregoing smacks not a little of those decisions of Railway Companies, which so invariably declare in every case of accident upon their lines, that their officers are not only entirely free from blame, but are really deserving of laudation. Again, the Board seems to be composed of *landsmen*: very good judges of bills of lading and invoices, but not quite so familiar with the working of a heavy ship through a narrow and dangerous Channel in bad and stormy weather.

It is true they had "*the assistance*" of the "Principal Shipping Master" of the port, the Local "Examiner in Navigation," and the Local "Examiner in Seamanship." But it was from those very officers that Captain Noble had obtained his former certificate; and it is not unnatural to suppose that they might not be altogether unbiassed in favor of his qualifications.

The case made out for him is very plausible; and that he did, in former periods of his life, give proof of considerable skill in seamanship and navigation is incontestable. But the fact of want of due precaution, and of the ordinary prudence

* See Parliamentary Paper, No. 167 of 1854, p. 13.

of a seaman with a heavy responsibility, does not appear disturbed. On the contrary it is once more acknowledged, that he had reason to distrust his compasses, and found his ship what is termed "unhandy" to a most dangerous degree:—and yet, in the narrow seas and thick weather he held on and on, without thought either of returning to port to make known, and get the willing owner, Mr. Moore, to rectify her defects, or of ensuring the avoidance of the land by the easy expedient of not running her more than four hours upon one course.

Incaution and imprudence nullify the advantages of skill, and hard as the measure would undoubtedly be to the individual, the example of so severe a punishment as deprivation of his certificate could not but have the most beneficial effects upon other ship masters in like position. There cannot be too much caution where human life is so fearfully exposed.

What little remains to us of space can best be employed in the consideration, very brief though it must be, of the deeply interesting problem of the further extent of the outgoing of our people. Miserably short-sighted has that policy always appeared to us, that hailed with gladness the diminution of population in a country so thinly peopled, even when at her climax twelve years ago, as Ireland. It is the narrowest, the paltriest, the most miserable view of state craft, that is based upon a hope of diminishing a people to the means of subsistence, instead of the nobler, and really statesmanlike endeavour, to develop and increase a country's resources up to the point required by the numbers on her soil. It has been in Ireland a cruel and dishonest hope: inasmuch as none can be so wilfully blind as not to recognise, that the distress in Ireland has, in fact, almost always been *factitious*, and that in a country producing cattle, sheep, swine, and agricultural products fit for human food in such abundance, there were means far more than ample to feed a population much beyond the highest figure even yet ascertained,—that those means were diverted away by the results of a mistaken and exhausting system of government.

The suddenness of the deficiency caused by the "potato rot" might be pleaded in some palliation of this wretched speculation, if after the first shock had passed and men had time to look about them and draw breath—or if, *even now*, when such abundant time and leisure has been given, not only for devising, but for carrying out real measures of improvement—we saw the policy-

mongers who influence our legislation, adopting large, and wise, and efficient remedies, such as would ensure to the remnant of our people that their country should no longer be a cottier encampment, but a secure home of profitable industry; and that the *export of articles of food should be reduced to the surplus remaining after the people had been fed!*

There *are* such measures and such remedies if our rulers would look for them—would adopt them. It is not our province *here* to point out what might be done, but the consideration may well employ another paper.

At present it is impossible to calculate the extent to which emigration may increase. The remittances from America, to bring out friends, swell in annual amount according as the numbers annually increase. And the unchecked money drains from Ireland to England, the unaltered and iniquitous land laws, the inconsiderateness, the recklessness, the thousand evils of the system under which Ireland is mis-governed, are all rife and active as ever, in nipping in the bud every germ of real improvement.

In the war that has already begun, and that ere long may embrace all Europe in its devastating spread, England will seriously feel the dearth of the *men* of Ireland. Her fleets and armies will soon begin to need the formerly unfailing supply of stalwart arms and stout hearts that our land was wont to give in emergencies. And if invasion come—(and who shall say how long the unexpected Franco-Anglican league shall endure?)—what opposition can be made to the invaders upon the shores and plains of Ireland, even now devastated and rendered desolate by the ultimate effects of old and continued misrule—that real and great original cause of the despairing and wasting emigration by which she has already been robbed of so much of her best blood and strength!

NOTE ON ART. IV.

We have stated, in the paper entitled "French Life in the Regency," in our present Number, that Dumas was assisted in writing and constructing the novel, *Le Chavalier D'Harmental*, by Auguste Maquet. From recently received information it appears that, in the composition of his dramas, he has, with unsparing hand, availed himself of the labors of Goethe, Schiller, Scott, Victor Hugo, Lope de Vega, and others: in some places adopting entire scenes with the greatest nonchalance; so that in reality, a comparatively small part of the plays published under his name belong to him. If he made the composition of dramas an easy task, by a wholesale appropriation of the thoughts and language of others, he avoided even this slight trouble in many of the novels published under his name, by getting other people to write them. We will only mention a few of the most celebrated of these. *George the Planter* was written by M. Mallefille; *The Three Musketeers* (the chief incidents of which, such as the amours of *Athos, Aramis*, and *Porthos*, and the duel with *D'Artagnan*, are taken from *The Memoirs of Charles de Batz de Castlemore, Comte d'Artagnan*) is the work of M. Auguste Maquet. Its sequel, *Twenty Years After*, is by the same author; and it is supposed that *The Viscount of Bragelonne* is indebted for its parentage to the same prolific pen. It is told that, to show that the compositions of his subalterns were never even corrected by M. Dumas, M. Maquet inserted a most ungrammatical paragraph in *The Three Musketeers*, which was printed off unaltered. M. Dumas is perhaps more indebted for his reputation in this country to *The Count of Monte Christo* than any other work. What if he never wrote it at all? Such is the startling fact. The first part of that novel is the composition of M. Pier-Angelo Fiorentino, and the second, of the invaluable M. Maquet. Two of its episodes are borrowed, nearly word for word, from *Memoirs Extracted from the Archives of the Parisian Police*; and a novel called *The Wheel of Fortune* is liberally drawn upon in the narrative of *Morel's* career. It is rumored that the remainder was translated from a German novel.*

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* See, also, an interesting paper in "The North American Review," for April, 1854.

THE

IRISH QUARTERLY REVIEW.

No. XV.—SEPTEMBER, 1854.

Art. I.—THE ENDOWED SCHOOLS OF IRELAND.

1. *Report From The Select Committee on Foundation Schools and Education in Ireland.* Ordered by the House of Commons to be Printed, 9th August, 1838.
2. *Suggestions for a Reform of the Royal Schools of Ireland, in a Letter to Colonel Rawdon, M.P.* By Rev. Richard H. Wall, D.D. Dublin: Hodges and Smith. 1851.
3. *The Necessity for an Intermediate System of Education Between the Schools and Colleges in Ireland.* By Rev. James M'Cosh LL.D. Professor of Logic and Metaphysics in Queen's College, Belfast. Belfast: Shepherd. 1854.

Addressing, in 1850, the Dublin Statistical Society, of which he is a Vice-President, our present accomplished Under Secretary, in speaking of the rapid progress of Education in this Country since 1831, made the following remarks:—"The Schools of the National Board alone, established since that time, numbered on their rolls in 1848 no less than 597,459, and they have been steadily pouring out numbers yearly increasing. Infant Education begins their course, the agricultural Schools continue it into practical life, and a normal School at the same time instructs new schoolmasters. Within the last year the Queen's Colleges have been opened to complete and crown the academic scale." The idea which these words convey, has long been prevalent; all parties seem to have assumed that the National Schools with their different branches on one side, and the Queen's Colleges on the other, formed a complete system of Education. There is, however, a serious chasm in the "academic scale." Schools are wanted to educate the class above those who resort to the National Schools, and to prepare

for the Universities those who desire to complete their education. The want of these intermediate Schools has been long felt. In 1845, Mr. Hamilton, one of the representatives of the University of Dublin, and a member of the Devon Commission, stated in the House of Commons, that "he had made particular enquiries, and had found that in nearly every part of Ireland, there was a great want of good Academical Institutions for the practical instruction of the middling classes." In the same year, Dr. Bagot, the present Dean of Dromore, as quoted by Dr. M'Cosh, ascertained that there were, in Ireland, 98 towns, containing a population exceeding 3000 each; and that of these, 18 had Endowed Schools, "leaving 80 towns of a population exceeding 3000 each, requiring good academies." Again, in 1853, Mr. Kirk M.P. for Newry, on a deputation to Mr. Cardwell, is reported to have assured that gentleman that "nothing would be hailed with more gratitude in Ireland than Schools of a higher order than those which now obtained. There was a chasm between the National Schools and the Queen's Colleges, which required to be filled up."

The very efforts which were made to promote Elementary Education tended still further to decrease the number of intermediate Schools. The National Schools, with their improved methods of teaching, the salaries to the Masters, and the other advantages which they offered, drew off from the classical teacher the merely English pupils who formed a large proportion of his School. The demand for classics only was not sufficient in most cases to support the School, and so, one by one, these humble Seminaries disappeared. The National Schools do not afford any means of supplying classical teaching, and consequently the void which they produced remains unfilled. The injurious effects of this want of preparatory instruction are strongly felt in the Queen's Colleges. Dr. M'Cosh, as a Professor of the Belfast College, declares his conviction "that the grand difficulties with which the Queen's Colleges have had to contend, have proceeded, not from Ecclesiastical opposition, but the utter want of adequate feeders." Sir Robert Kane, at a public meeting for the distribution of prizes in the Cork College, expressed his opinion that "the great and real impediment to the success of the College was the condition of the Secondary Schools."

When such difficulties exist in Belfast and Cork, we cannot expect a more favorable report from Galway. Accordingly we find the President of the Galway College, year after year,

reporting to her Majesty, that those Students who had come with some preparation, usually made very satisfactory progress, but that those who were insufficiently prepared, and their preparation required was very considerable, were unable to avail themselves fully as could be wished of much of the instruction that was given. Even Trinity College with all the advantages of the support of the best Schools in the country, will scarcely maintain the argument that the general state of preparation at entrance leaves nothing to be desired. Indeed a strong opinion against Irish School education appears to exist, if we may judge from the avowed attempts to improve it by the introduction of English Masters. There is no doubt of the good intentions with which this plan was adopted, but it is equally certain that it was based upon an erroneous theory, and recent occurrences have painfully shown that sometimes the remedy has been worse than the disease.—Intermediate Education in Ireland, then, as well for its own sake as for the purpose of giving full efficiency to existing Institutions, requires improvement. But before we can discuss the propriety of providing new funds or framing a new system for the purpose, it is only right to consider the system and the means which at present exist. It is no more than common prudence to enquire whether the old house may not easily be rendered available for our purpose, before we incur the trouble, and expense, and risk of erecting a new one.

The Royal Schools, the most important from their revenues, although not the first in point of time of the Irish Endowed Schools, were established in the years 1627 and 1629 by Letters Patent of King Charles I. In the former year, that Monarch granted certain lands in different places to the Archbishop of Armagh and his successors, for the sole use and behoof of the Master for the time being of the Free School, at the towns of Mount-norris in County Armagh, Mount-joy in County Tyrone, Donegal, Lisgoole in County Fermanagh, and Cavan. Two years afterwards grants were made upon similar trusts for the Schools of Carysfort and Banagher. From some cause which is now unknown, the positions of the earlier Schools were changed, and they were established in the towns of Armagh, Dungannon, Raphoe and Enniskillen. The aggregate endowment of these seven Schools is 13,660 acres, which at present produce a rental of nearly £6000. In consequence of the great abuses which were found to exist under this arrangement, the estates

were, by an Act of Parliament, in 1813, vested in a Board of Commissioners, who, after paying the expenses incident to the estates, and keeping the School-house in repair, pay the Master and his assistants salaries, which are generally regulated by the endowment of the School, and are directed to expend the surplus in the maintenance of Free Scholars, or in the foundation of Exhibitions in Trinity College, Dublin. The Masters, at their discretion, and usually at the same rate as the best private Schools, charge fees for both board and tuition. The admission of Free Pupils appears to be regulated rather by the feelings of the Master than by any external control. If we exclude Carysfort, which has always been an Elementary School, and the two Schools recently established by the Board for the children of their tenantry, the annual number of pupils,* in each of the six principal Schools, on an average of the four years, ending 31 December, 1852, has been 46½—of these 7½ have been free. "The Royal Schools," we quote from the *Report of the Committee on Foundation Schools*, "were not precluded either by their Charter, or by any Act of Parliament or Bye Law, from receiving all religious denominations. Though the course pursued in the instance of Diocesan Schools, of appointing Masters from the Church of England and generally Clergymen, prevailed also in the case of the Royal Schools, it does not rest on any law. The Lord Lieutenant, as in the case of the Diocesan, has the appointment solely in his own hands, unshackled by any limitation of a religious exclusive character. The assistants also are usually Protestants but chosen from the laity. The Royal Schools have at all times been considered open to all religious persuasions."

The Diocesan Schools, the earliest attempt at intermediate education in Ireland, date from the 12th of Elizabeth. The statute under which they are founded is intituled "An Act for the Erection of Free Schools," and provides that there shall be "a Free School within every Diocese of the realm of Ireland, and that the Schoolmaster shall be an Englishman or of the English birth of Ireland." The School-house for each Diocese was directed to be built in the principal shire town of the Diocese, at the cost and charges of the whole Diocese, and by the "device

* These figures are taken from a Parliamentary Paper, Ordered by the House of Commons, to be Printed, 25th April, 1853—No. 400.

and oversight" of the Ordinaries of the Diocese, or, in case of vacancy, of Vicars General. The Sheriff of the shire, and the Lord Deputy or Governor were to fix the Schoolmaster's salary, of which the Ordinaries of each Diocese were to provide the third part, and the Parsons and other ecclesiastical persons of the Diocese were to provide the remainder. Even in Elizabeth's own time, this Act seems to have been imperfectly carried out. Mr. D'Alton, in his evidence* before the Committee on Foundation Schools, mentions a curious record, whereby Queen Elizabeth, understanding that this Act was "slenderly or not at all executed" in Limerick, empowered the mayor of that city, by mandate, to sequester yearly, and from time to time, so much of the livings, tithes &c., as belonged to the Bishop and Clergy of the Diocese until the Act was complied with.

Various statutes were made during the reign of William III., and his immediate successors, concerning those Schools, but with no satisfactory results. In the year 1813, by the same Act which regulated the Royal Schools, the Diocesan Schools, were placed under the control of the same Board, and permission was given to the Commissioners, with the consent and approbation of the Lord Lieutenant, to erect into one district two or more Dioceses, and to consolidate into one district School, the several Diocesan Schools of their united Dioceses. The Lord Lieutenant, with the advice of the Privy Council, is empowered to fix and apportion among the different Dioceses in a district, the Masters' salaries which are to be paid by the same parties, and in the same proportions, as the original Act of Elizabeth directs. The Act further enables the grand jury of the county in which the School is established to present on the county any sum or sums which they should think proper for purchasing a site, and building or repairing a School-house. Notwithstanding all these attempts to improve them, the Schools have never succeeded. In 1838, the Committee † of Foundation Schools thus describes their condition. "The Lord Lieutenant will not appoint Masters, unless a salary is secured, the salary is refused by the Clergy unless the School is built by the grand jury; the grand jury refuses to build the School, unless the Master stipulates to receive a certain number of Free Scholars: the Master refuses to receive Free Scholars on the compulsion of the grand jury,

* Q. 821.
† P. 48.

and the Commissioners will not, or cannot, enforce the right either on the part of the grand jury or their own." At a still later date, no improvement seems to have been made. In their Report for 1850, the Commissioners of Education observe, "as regards the Diocesan Schools, generally, we regret to be obliged to state that with a few exceptions they have failed to be productive of the benefits originally expected from them. This has arisen partly from the mode of payment of the Masters, alike distasteful to the Clergy, and to the Master, and partly from the dilapidated state of many of the School-houses, for the repair of which no fund beyond a voluntary presentment by a grand jury is provided by law." There are at present 14 Diocesan Schools * in operation. They are situated in the towns of Ballymena, Carlow, Cork, Downpatrick, Elphin, Londonderry, Limerick, Mallow, Monaghan, Mullingar, Naas, Rosscarberry, Tuam, and Wexford. The annual number of pupils in each School, on an average of the four years ending 31st December, 1852, was 24, of whom three were Free. It is stated that they have no landed property, and a very small income in some cases in stock. No religious restriction was ever imposed in these Schools. It has been generally supposed that as they are supported by the contributions of the Clergy of the Established Church, they must be strictly Protestant. The following extract from the Report of the Committee on Foundation Schools † will show the error of this opinion. "There is nothing in the Act of 12 Elizabeth, or in any subsequent modification of that Act, limiting admission to these Schools to Protestants. The Acts of Charles and William affect the Masters of the Schools only. No later enactment refers to the subject, nor has any by-law been passed by either the Diocesan Clergy, grand juries, or the Board of Commissioners, to that effect. * * * Nor is this confined to the pupils. There is no law now in force requiring the teacher to be of the established religion; and Mr. Quinn, the former Secretary, declares no religious test is exacted, nor is there any thing which could preclude a Roman Catholic or Presbyterian from being appointed by the Lord Lieutenant to the mastership of any one of these Schools."

Besides these Schools of public foundation, the Commissioners of Education have under their control 23 others, which

* Parliamentary Paper Session 1853, No. 400.
† P. 44.

may be termed private foundations. They are situated at Athlone, Ballyroan, Bandon, Clane, Carrickmacross, Charleville, Clonakilty, Clonmel, Cloyne, Dundalk, Eyre Court, Kilbricken Tenantry, Kilkenny, Kilworth, Kinsale, Lifford, Lismore, Middleton, Navan, Rathvilly, Tullyvin, Waterford, and Youghal. Of these, five, viz. the Kilbricken Tenantry, Kilworth, Lifford, Rathvilly, and Tullyvin Schools, seem to be merely elementary. Of the remaining eighteen, several, such as Eyre Court, are not Classical Schools, but might probably be made such. Excluding Athlone, the Mastership of which was vacant when the return was made, and the five elementary Schools, each of the others, on an average of the four years ending December, 31st, 1852, had about 24 pupils yearly, of whom about six were Free. It would seem that only three of these Schools, Ballyroan, Clonmel, and Middleton, have their estates vested in the Commissioners. In the other cases, the payments are, we believe, made directly to the Masters. We cannot state with accuracy the gross amount of their endowments, but from a table compiled by Mr. D'Alton, their united revenues exceed £6000 a year. This amount is, however, apparently too large. With the exception of Tullyvin, they are open to all religious denominations, and no religious qualification is required in the Masters. The appointments are in the gift of the Trustees, or of Corporations, or of Bishops of the Established Church.

It would appear from the evidence given by Mr. D'Alton before the Committee on Foundation Schools, that several other endowments for Educational purposes are, or ought to be, in existence. The charter granting in 1631, one hundred acres of land for a School at Clogher, has been lately printed in the Parliamentary Paper, which contains the charters of the Royal Schools. But we believe that no such School is in operation. There are also many other minor endowments of little value singly; but which, if consolidated, might be made most useful. Some further enquiry into this subject would be desirable.

Last of all, and differing from the other Endowed Schools in being under a separate management, are the Grammar Schools of Erasmus Smith. The Committee on Foundation Schools observe, that "it may be a matter of question whether these Schools should be considered private, or public. They are undoubtedly of private foundation, but from the frequent interposition of the legislature, they may in great measure be

regarded as public institutions." They were established under a charter granted in 1669, to carry out the intentions of Erasmus Smith, who settled large estates for Educational purposes. The charter provides for the foundation of Free Grammar Schools at Drogheda, Galway, and Tipperary. A fourth, subject to the same conditions, was subsequently founded at Ennis. It further directs that the children of the tenantry, on the settled estates, without any restriction, as to numbers or residence, should be educated gratuitously, and that the same privilege should be extended to a number of other boys at the discretion of the Governor, provided that the whole number did not exceed twenty, and that they were resident within two miles of the School. For these, all fees are strictly prohibited, but the Master may take from the remainder an entrance fee of two shillings each. As the value of the estates increased, difficulties arose as to the application of the surplus. Various Acts of Parliament were passed, authorizing different forms of expenditure. Several Professorships, to the aggregate value of about £500 a year, were founded in Trinity College, but owing to the depressed condition of the estates, these endowments have been, since 1847, almost wholly withdrawn. Thirty-five exhibitions of the value of about £8 each, and tenable until the exhibitioner has attained Master's standing, that is, for a period of seven years from entrance, have also been established in the same Institution.

In reference to these exhibitions, the Provost and Fellows in reply to some inquiries of the Trinity College Commissioners, state that "of Erasmus Smith's exhibitions, only twenty in the last ten years have been given by examination at entrance. The remaining exhibitions, on this foundation, are filled up by the Board from students, who have already been distinguished in their academic career, without reference to the schools at which they were educated." The management of the Schools and the estates is committed by the charter to a Board consisting of thirty-two members. The Archbishops of Armagh and Dublin, the Chief Justices of the Queen's Bench and Common Pleas, the Chief Baron, and the Provost of Trinity College, are *ex officio* members. This Board elects new members as vacancies occur; and makes no report of its proceedings. It is provided that the Masters who are appointed by the Governors, shall be approved by the Bishop of the Diocese "if they shall willingly subscribe the two first canons of the Church of Ireland." No

religious restriction is imposed on the pupils. The Master is directed to lecture every Sunday on Usher's Catechism, but the anxiety to provide for the education of the children of the tenantry, shows that the Schools were designed for the benefit of all religious denominations, since the bulk of the tenantry, on the Southern and Western Estates, must at the date of the charter have been Roman Catholics.

In considering the condition of these Schools, the first point which naturally attracts our attention is the constitution of their governing body. The Commissioners of Education in Ireland, consist of the Primate, the Lord Chancellor, the Lord Chief Justice of the Queen's Bench, the Chief Secretary for Ireland, the Members for the University, the Provost of Trinity College, the Bishop of Tuam, four other Bishops, one from each province, and four other "proper and discreet persons," who are appointed by the Lord Lieutenant. It would not have required extraordinary sagacity to have predicted that such a Board could never work well. The time of the eminent persons who are *ex officio* members is fully occupied by other duties. The Provincial Bishops are necessarily non-resident. The remaining four "proper and discreet persons" serve gratuitously, and in most cases must have other more urgent demands upon their time. Of the present Commissioners appointed by Government, one is a Judge, another a Master in Chancery, and a third the Rector of a parish in Fermanagh. If to these considerations we add the general remissness of Honorary Boards, and the weakened sense of responsibility when it is divided among so many, and such distinguished persons, we may readily suppose that the constitution of the Board is by no means perfect. Experience does not falsify these assumptions. The Committee of Foundation Schools report that "both the constitution, and functions of the Board appear to have produced numerous inconveniences. The attendance formerly stated by the report of the Commissioners themselves to have been extremely irregular, still continues so, and the means taken to ensure punctuality, such as entering the names of members attending each meeting, and keeping accurate minutes of proceedings at all times open to the Lord Lieutenant, have not been found adequate. The causes of this irregularity are obvious: *ex officio* members are in general less regular than others, the pressure of other higher duties preventing them, even if desirous, from attending; the necessity of having one official member to constitute a

quorum ; the absence of all salary, want of special interest, and individual responsibility." To the same effect, though at a later date, Dr. Wall, in the pamphlet, the title of which appears at the head of this paper, observes, "it is well known that for many years the Board might be said to have consisted of a single individual, as no member thought of interfering, so long as he lived, with any arrangement which he proposed, not considering it quite decorous, in those who seldom attended, to do anything contrary to the wish of one who was constant in his attendance."

The nature of the funds which this Board is bound to administer, suggests additional doubts as to its educational efficiency. Its property mainly consists of the landed estates of the Royal, and of certain private Schools. It is at length pretty well understood, that land is not the best kind of endowment; and that a Board is not the best kind of landlord. No minister ever proposes to purchase an estate for a new Institution. Such an arrangement would be scarcely thought advantageous either for the grantees, or for the estate. On this subject, the Committee on Foundation Schools entertained decided opinions. Their report states that, "much the greater part of the time of the Board is absorbed in the management of the estates, and the improvement of the money interest of each particular School. Though their powers appear to be for this purpose fully adequate, and are exercised with discretion, it does not seem to your Committee, as already stated, to be the most appropriate province of an Education Board. The functions connected with the intellectual management of Schools, are, in consequence under-rated." The events of the last seven or eight years were not calculated to remove these objections. We cannot, therefore, feel much surprise at the following statement, which the Commissioners themselves, in their Report for 1850, made :—"The difficulties which, during the last few years, have presented themselves to all parties, deriving their income from land, have extended to this Board. We beg to report to your Excellency, that a considerable portion of our time and attention has been occupied in endeavouring to meet these difficulties, by making small advances, and moderate reductions in such cases as appeared to be necessary." It certainly seems strange to withdraw from their proper avocations the Heads of the Church and the Law, under the pretext of forming a Com-

mission to watch over the progress of Education, and then to set them down to let con-acre, or to squabble with yearly tenants for an abatement of rent.

Not only is the constitution of the Board defective, and its energy misdirected, but its powers are very much restricted. In the Diocesan, and most of the private Schools, the Board has no control over the funds. The Master of the School receives his salary directly from the Clergy or the Trustees, and there are seldom any surplus funds. But the property of the Royal and other Schools, which is vested in the Board, collectively exceeds the sum now required for payment of all salaries and similar purposes. Each School, however, has its own separate endowment, and the Board has no power to apply the surplus rents of one School to the wants of another. Of this defect in their Act, the Commissioners appear to be fully aware; and it is stated that measures were at one time taken to procure an Act of Parliament for the consolidation and better distribution of the estates. From some unassigned reason, the application was allowed to drop, although, as the Report observes, the grounds on which it was deemed advisable to make it continue unchanged. In 1822, an Act (3 Geo. 4, c. 79) was actually passed, and seems to have been designed to meet this difficulty. It provided that the surplus of one School may be expended in the first instance, in the improvement of other Schools, but difficulties arose on its construction, and it seems never to have answered its purpose. It is, however, valuable as a precedent in favor of the principles to which we shall presently refer. Under the present system, the surplus funds are allocated to support, maintain, and provide for free scholars, and to endow Exhibitions in Trinity College, Dublin, at the discretion of the Commissioners. The latter alternative has been adopted, and a sum exceeding £1000 per annum, is given in Exhibitions, tenable under certain conditions, for five years, varying in amount, from £25 to £50, and bestowed by public examination, upon the best answerers in a prescribed course. Objections to this system arise from every quarter. Four of the Royal Schools, and one Private Foundation, are sufficiently wealthy to have Exhibitions. But as these Exhibitions are strictly appropriated to each School, and as the Candidates from all the Schools are examined together, it sometimes happens that the defeated candidate of one School is better than the successful candidate from another, and thus

the anomaly occurs, that in an open and perfectly fair examination, the worse man obtains the prize. Still more vexatious is it, when one School—as is actually the fact—never fills up its Exhibitions, while there are abundance of men from other Schools, who deserve, but cannot obtain the prize; for it thus unintentionally resembles the dog in the manger, who neither himself used the provisions, nor permitted others to do so.

The discontent from this cause, as far as the Masters are concerned, only affects one or two of the most successful Schools. But the other Royal Schools think that they have a claim to share in the Exhibitions, and probably the Masters of all Endowed Schools would agree in an extension to themselves of these good things. The Masters of the unendowed Schools, however, insist upon a much wider range. In a petition to the House of Commons, which was prepared by some of the most influential of their body, they describe "the consequences of the monopoly of exhibitions, as most oppressive and injurious to Endowed Schools, and equally detrimental to the advancement of Education in Ireland." We shall quote their statement in support of both these propositions, and the remedy which they suggest.—"A lure was held out to parents to withdraw their children from independent Schools, which had no such reward to offer to diligence and talent, and thus they were deprived of their most gifted pupils, who, being removed to the Royal Schools, contributed by their talents and success to raise *their* reputation, and to depress in a corresponding ratio, the character of the Institutions from which they had been withdrawn. Private enterprise, and energy, were thus greatly discouraged, being overborne by a competition at once ruinous, unequal, and unjust.

"That as regards the cause of Education generally, your Petitioners believe that the monopoly created by the Commissioners has been no less injurious. The competition for the prizes being confined to a very small number of Schools, in none of which the pupils were numerous, has necessarily failed to produce the effects which would undoubtedly have arisen if the emulation of the whole youth of Ireland had been called into existence. It has thus frequently occurred that the vacant Scholarships could not be filled for want of candidates, and in one School in which there are five exhibitions, *not one* has been given from their establishment to the present time.

"Your Petitioners therefore humbly pray your Honorable

House to adopt such measures as may remedy the grievances of which they complain, and they beg leave humbly to suggest that, in accordance with the liberal spirit of the age, the Royal Scholarships may be opened to the youth of Ireland, and connected not only with the University of Dublin, but also with the Queen's University; and that the selection of the University may be left to the option of the successful candidates themselves."

Various other objections also are made. The Queen's Colleges, as the extract which we have just quoted shows, feel that they are deprived of their chance of the best prepared students in the country, and that the attention of some of the principal Schools is steadily turned to Trinity College alone. In 1813, when the Act to regulate the Endowed Schools was passed, Trinity College was the only Irish University. Now, the three Colleges which constitute the Queen's University, may not unreasonably ask admission to at least a chance in the advantages of national endowments.

It must not, however, be thought that this change would injure Trinity College. That establishment is too secure in its great wealth, its time honored name, and its wide spread connections, to feel the actual loss of a few students, much less to dread the possible rivalry of the Queen's Colleges: no such unworthy jealousy on either side should exist. The example of Scotland, which with its population of less than three millions supports five Universities, in each of which although the endowments are small, the Professors are much better paid than in the Queen's Colleges, proves that in Ireland we have room enough for all. A friendly and generous emulation in the advancement of learning, and in the progress of their common country is, we trust, the only form which the competition between the two Universities will ever assume. It is in the present case most improbable that Trinity College would lose a single student. The far higher prizes which she can hold out, would be sure to attract those who had sufficient ability to succeed at the Exhibition Examination: whatever she might gain from the improved condition of the Schools, she would lose nothing. The Queen's Colleges would therefore derive little direct advantage from this change; but they might reasonably hope to share in the larger number of pupils who would be attracted to the Schools, and to find a higher standard of preparation than at present exists.

Others again, and amongst them is the Master of one of the

principal Royal Schools, deprecate the system of instruction to which the Exhibitions have given rise, and wish to substitute something of a more general, if not a more utilitarian character: others insist that those Schools were founded for the special benefit of their several localities, to which alone their revenues should be confined. They wish to give free education to the inhabitants of the district, and not to fritter away the money in Exhibitions which are open to the whole Kingdom.—This last objection, as it brings into question the title of the Estates, deserves some consideration. It is not likely to meet with much sympathy from the public. At a time when the Commissioners of the great English Universities propose, with the general consent, to abolish all restrictions of place and birth and name in the various endowments of those establishments, it would be indeed strange to see the opposite process in operation in Ireland. Fortunately it is unnecessary to discuss the question. It has been long since settled. The inhabitants of Armagh, and the other towns in which the Royal Schools are situated, should recollect that the charter gives the Schools not to them, but to other districts, so that they at least can hardly maintain an exclusive right. A far more important change was made by the Act of George III. This measure, which the late Sir Rober Peel, then Chief Secretary for Ireland, introduced, took away from the Masters the estates which the charters had vested in them, conferred these estates upon the Board as at present constituted, and rendered the Masters dependant for their salaries on the discretion of this Board. It might have been supposed that such a measure would have met a violent opposition, and that vested interests and the rights of property would have found some defenders; yet whether from the little attention which mere Irish questions could at that time command, or from the humble, though important nature of the reform, or from the flagrant abuses which the preceding Commission of Enquiry had brought to light, the Bill appears to have passed both Houses without a single observation. At a still later period, the Commissioners of Education themselves, by virtue of the powers which their Act conferred, established the Exhibitions to which we have referred, and merely required that each candidate should have been for three years a pupil at some of the Royal Schools. It was probably thought that the inhabitants of these particular localities necessarily possessed a great advantage, in

having their children educated under their own eyes, and in thus avoiding the inconvenience and expense of sending them to reside in some distant county. But if the Legislature was justified in taking away from the Masters their estates, and appropriating to the present purposes, without any local restriction, the surplus revenues, they may well admit to a share in these advantages, if on other grounds it is judged expedient to do so, boys educated, as well as born, out of the charmed circle of the estates. On the whole we may conclude, that both in accordance with the spirit of the endowment, and by the express and deliberate sanction of the Legislature, these estates are national property, and are applicable to national purposes.

The Act of George III. gives to the Commissioners the alternative of maintaining Free Scholars at the School, or of establishing Exhibitions in Trinity College. To the former plan, as well as to the original idea of "Free Schools" the objections are at least as strong as to the present system of Exhibitions. The Board would either insist that the Master should instruct the Free Schools gratuitously, or they would pay him at a certain rate for each boy. In the first case, the Free Scholars would represent a certain charge upon the Master's salary; in the second, a certain number of pupils in addition to his salary, guaranteed to him by the Board. In a very short time the results of these two methods would completely coincide, and the Free Scholars would always be regarded as a charge upon a settled income. In such circumstances, unfailing experience shows that careless Masters are consequent upon the removal of the chief incentive to exertion. If the School is wholly Free, it is more than probable that the duty will, in general, be slovenly performed. If it is partly Free, and partly paying, there is a great risk that the Free students will be regarded as intruders by the Master, and as paupers by the boys. Parents, too, are reluctant to send their children as charity boys; and besides they will not prize highly what they get so cheap. From all these causes, the right of free education gradually falls into desuetude, until at length it becomes wholly obsolete, and even its original existence is disputed. We have full proof of these propositions in the very endowments of which we are writing. The Diocesan Schools support their orginal character of Free Schools by the gratuitous instruction of three boys, on an average, in each School. The Royal Schools, as having about three times their revenue, are proportionately liberal, and

exhibit an average of between seven and eight free pupils to every School. In Erasmus Smith's Grammar Schools there are absolutely none: we must remember too, that the returns from which these figures are taken, refer to a period during which considerable agitation had prevailed on the subject of gratuitous education. From the Report of Mr. Wyse's Committee it would seem, that twenty years ago the average number of Free pupils at the Royal Schools was less than half its present amount. The doubts which exist as to the right of Free admission sufficiently show, when compared with the original charter, the natural tendency of such a system. We have strong evidence of another kind against the success of gratuitous education. In a paper* read before the Society of Arts by the Dean of Hereford, so well known for his successful exertions in the cause of elementary education, we find some remarkable statements upon the subject. He proves beyond doubt that the parents, if they see that their children are making satisfactory progress, prefer to pay for their schooling, rather than to send them free of expense. He shows that the raising of the fee, when the character of the School is established, does not in the least diminish the attendance. Referring to a letter which he had read from a Schoolmaster, he writes, "the master speaks of his position as being far superior to what he would have had, if the School had been for the charity boys only. There is no doubt of this; and every good Schoolmaster in England is interested in giving the self-paying character to his School. It makes their position among those with whom they live a totally different one, and gives them the proper importance due to their situation, which, on the semi-charity plan, they never can attain." The same high authority, in strong terms, declares his conviction, founded on considerable personal experience, that "the educational and other charities dispersed over the country, do little or nothing but positive mischief." Similar opinions are held by several of the Privy Council, and by Inspectors of Schools, whose views are fully stated by the Dean of Hereford. We do not see any reason why these principles, which are true of elementary education in England, should not equally apply to intermediate education in Ireland.

* "Remarks On the Importance of Giving, as Far as Possible, a Self-Supporting Character to Schools for the Industrial Classes, and the Means of Doing So." London: Groombridge and Sons. 1853.

We have thus seen that considerable endowments for the purposes of intermediate education are actually in existence; that these endowments, taken as a whole, give very small results; that the Board of Commissioners under whose direction they are placed, is defective in its constitution, irregular in its functions, and limited in its powers; that the present system of Exhibitions is unsatisfactory; that the return to the original idea of Free Schools, or the foundation of a numerous body of Free Scholars is equally objectionable, and that the principle of legislative interference with these endowments is fully established. We shall now proceed to indicate the various reforms that, in our view, would increase the general efficiency of these institutions,—and which require for their completion the assistance of the Legislature.

In the first place, the Board should be re-organized, and its duties divided. The members of the present Board should be made visitors of the Schools, and trustees of the estates. They should form a Court of Appeal from every decision of the Board below, and should have full visitorial powers. In the management of the estates they should have the assistance of a professional land agent, an arrangement which the Commissioners of Trinity College recommend in the case of that Institution, and they should have adequate leasing powers, and also powers of sale and exchange. It might, perhaps, be useful to permit them in case of a sale to give a Parliamentary title, or at least to sell under the Incumbered Estates Court, or whatever substitute for that Court may be hereafter found. The entire management of the Schools should be confided to a Board composed partly of Honorary Members, and partly of Salaried Commissioners. The latter should take an active part in the inspection of Schools, and in the examination for Exhibitions. They should also perform all the duties of Treasurer and Secretary. The increased expense would not be great. The present Act charges the Consolidated Fund with a sum not exceeding £700 a year, for the salary of the Secretary, and empowers the Lord Lieutenant to appoint whatever other sums he shall think fit for the payment of other Officers, and of the incidental expenses of the Board. The salary of the present Secretary is £450, and an additional £150 is given to him to provide an office, stationary, &c. In any change such as we propose, the services of the present Secretary would probably be retained as a salaried Commissioner. It

would not be very difficult to find a suitable office in the Castle, or some other public building, and the services of two other Commissioners could be secured for about £500 a year each. When the Board should be in full work, and the system completely established, the number of paid Commissioners might, perhaps, be reduced, by not filling up vacancies. As the College and the Schools must always influence each other, representatives of Trinity College, and the three Queen's Colleges, should form part of the Honorary portion of the Board. It would also be desirable that the Schools should be properly represented. This object could be effected by placing on the Honorary List some of the retired Masters of Schools,—and there are several distinguished men of this class,—or some Masters of the leading Schools, or by allowing the Schools under the management of the Board, to elect one or more representatives. In all cases the main object should be to secure the services of men, who were really acquainted with educational matters.

The next step should be to reduce into one common Fund all the property, not of the Royal Schools merely, but of the Diocesan, and the Private Foundations. In the case of the Royal and the Private Schools which are under the present Board, there could be no difficulty. The Board would merely receive increased powers of distribution. In the case of the other Schools, the Funds are at present paid, by the Trustees, to the Masters. In future the Trustees should account with the Board: whenever it could be done, the Funds should be transferred from the Trustees to the general Board of visitors and Trustees which we have proposed. By the Act of Geo. III., the Chancellor is directed to enforce the orders of the Commissioners, and at his discretion to remove the existing Trustees, and to bring the Schools under the administration of the Board. The same power might be retained, if it was not thought desirable to effect this object generally by Act of Parliament. The payments made for the Diocesan Schools should be made to the Board, and their amount should be definitely settled, and their collection provided for. The present mode of obtaining payment of this Fund is most unpleasant, both to the Clergy and the Schoolmasters. The Report of the Committee on Foundation Schools,* on this subject, is as follows :—"These sums are

* P. 48.

paid now, as formerly, by the Bishop and Clergy of the Established Church in the respective districts, according to the proportions already determined by the Act of Elizabeth. They seem never to have been paid with much regularity. In the 15th Report of the Commissioners of Education, signed by several Right Reverend Prelates, it is stated 'that it would be highly expedient that the contributions of the Clergy should be paid with greater regularity, and to a greater extent than usual. It might not be unreasonable that they should be rated at a sum not exceeding two and a half per cent. of their respective incomes.' The present rate is much below that sum, but it is found to be, notwithstanding, of extremely difficult collection. Mr. Kyle states that while their proportion is easily levied from the Bishops, the Schoolmasters find it very difficult indeed to get their quota from the respective Clergy of the diocese, especially in the South of Ireland. The teachers themselves are obliged to levy this amount, nor does it appear that they are aided by the Diocesan, who does not exercise the power, with which he is invested, of enforcing it." The Committee afterwards recommend that these payments "be compounded for with Government at a specified value, or that they be no longer required."

We would venture to offer two suggestions on the subject. We do so with hesitation, because we fear that we may be liable to some mis-interpretation. It must not be forgotten that these contributions are a first charge upon Church property; that all the present incumbents have taken their livings subject to this charge; and that they have hitherto paid a very small rate in a very unpleasant manner. We wish, therefore, to guard against the possibility of our being supposed to advocate any undue alienation of Ecclesiastical property. The sum is too considerable to remit altogether. If the thirty-four Dioceses were to contribute an average of £150 each, of which £100 would fall upon the general Clergy, there would be a gross Fund of £5,100. That sum, if judiciously applied, would be of great service in advancing Education. At the same time, when we bear in mind the many burthens of the Clergy, it would be desirable not to add another, however clear the right may be. We would then suggest that part of the Revenues of the Ecclesiastical Commissioners should be allocated in lieu of the contributions of the Bishops and Clergy. On the death of the

present Archbishop of Armagh, a sum of £4,500 a year will revert to the Commissioners from that See. If this sum were transferred to the Commissioners of Education, it would increase their means, and relieve the Clergy, while it would not withdraw any of the means now at the disposal of the Ecclesiastical Commissioners. Until the sum fell in, and we trust that the event upon which it depends is still far distant, the Board should undertake the collection of the present salaries; and, if it were thought fit to continue the Tax upon the Clergy, a large portion might be collected through the Ecclesiastical Commissioners. That body levies a Tax, at a certain per centage, upon all Ecclesiastical Incomes over £300 a year. It would be only necessary for them to add the increased per centage for the Diocesan Schools, and to pay the proceeds to the Educational Board. For the collection of the Tax, in cases under £300 a year, the easiest way would be to make the Bishop, in the first instance, accountable. He would then, in most cases, enforce payment, although now he rarely does so.

Over the common Fund thus created, the Board, subject to the control of its visitors, and to the approbation of the Lord Lieutenant, should have full power. They should be allowed, at their discretion, to found new, or take into connection, existing Schools; to increase, diminish, or wholly discontinue, the Master's salaries, a power which even at present they possess; to make provision for the superannuation of Masters, and for the constant and efficient inspection of all Schools under their care. When ever necessary to build School-houses, it might be made imperative on the Grand Jury of the county to present, when required by the Lord Lieutenant to do so. As to the repairs of existing houses, it would probably be the best course to throw the burden upon the incumbent, as in the case of Ecclesiastical dilapidations. The Board should, at the same time, have the power of assisting at their discretion, and should have the houses inspected every three years by a competent person. The Board should also have the power, in all cases in which they gave salaries, to fix the rate of fees for tuition. They should not interfere with the Master's arrangements, for the support and maintenance of his boarders; but the true way of securing to the public the benefit of the Endowment, and of reconciling the interests of the Pupil and the Master, is to fix, at a reasonable rate, the fees for mere instruction. An obvious precedent occurs in the system of the Queen's Colleges.

When cheap, but not gratuitous, Education is thus secured, we may consider the propriety of devoting a part of the surplus funds to the endowment of Collegiate Exhibitions. Mr. Wyse's Committee seems to doubt the policy of such foundations. We cannot, however, on this subject go with them. We know no other means of obtaining such large results with a limited sum. Every parent naturally thinks his own son likely to obtain one of these prizes, which at once confer upon the holder rank among his companions, and relieve the paternal finances in the most gratifying way by the honorable and hard won earnings of the boy. Thus the Exhibitions operate as an attraction to children yet untried, and bring more pupils to School. After some time spent at School, if the parent has any reason to hope, and he is slow to despair, that his son has a fair chance of success, he will leave the boy a year or two longer, and thus Exhibitions—and nothing can be more important—keep boys at School. Even if the boy fails, and from the very nature of the case the great majority must fail, the effort has not been without its value. The simultaneous efforts too, of a whole School, although the boys themselves are unconscious of them, imperceptibly raise the standard of Education. The Master is not slow to feel the general activity. The Exhibition is the great prize of his School. To its attainment all his energies are directed. He is not influenced merely by the desire of doing his duty, and of promoting the general advancement of his pupils. He has a more definite object. His professional character and prospects are much more nearly effected by the immediate success of his pupils, when they first leave him, than by their prosperity in after life. In the one case, there can be no doubt that his skill mainly contributed to the desired result,—in the other, his share cannot easily be perceived or apportioned. But while he hurries on his most promising boys every year, he insensibly draws along with him the whole School. How highly Exhibitions are prized, both by the scholastic profession and by the public, the complaints of the unendowed School Masters, and the reasons which they assign for those complaints, sufficiently prove. These we have already given in their own words, but now, in support of our views, we shall bring forward the evidence of two "practical men." Both are successful teachers, the one in England, the other in Ireland: the former has Exhibitions attached to his School, the latter has none. The former, the Rev. John Day Collis, who, though an

Irishman by birth, has converted a poor and decayed Grammar School in Worcestershire into a prosperous and valuable Institution, in an interesting address, when commemorating the Tercentenary of the foundation of his School, makes the following remarks:—"There is one advantage in the meagre sum (£35 a year) which the Head Master receives here; and it is this, that he must work for his bread. * * * The best endowment for any School, the most certain means of attracting pupils, and stimulating their exertions as well as those of the Masters, is to endow it with scholarships and exhibitions. These keep alive the energies of the master no less than of the pupil; these stimulate the flagging zeal of the former, and by holding out to the latter a substantial reward for industry, they give a spur to study such as it would be in vain to look for, from any other quarter. The real endowment of this School consists in the six Scholarships to Worcester College, with the six Fellowships attached. These are the substantial prizes we have to offer the rising talent of our pupils, these the rewards which will fall to the lot of industry and application."* We may observe that although Mr. Collis so highly values his Exhibitions, he does not shrink from opening them to competition. In another part of his address, he refers to some changes proposed in Worcester College by the Oxford University Commissioners. The result of these changes would be to increase the number of Scholarships given in that College, but at the same time to open them to all Schools in Worcestershire. Of this proposal, at first sight so injurious to his interest, Mr. Collis does not hesitate to express his approval. He thinks, doubtless, that such competition will only stimulate his pupils, and he does not fear, for himself, the industry or skill of the other Masters.

Our other witness is the Rev. Dr. Wall, of Dublin, the President of the Academic Association, and for thirty years a successful laborer in his arduous profession. This gentleman, after strongly advocating the remodelling and general extension of the Exhibitions, writes, "The exhibitions thus obtained (to continue for four years) will enable a number of deserving and well educated young gentlemen to obtain a degree, and pursue a profession in whichever College they consider most to their

* See "The Proceedings at the Tercentenary Commemoration of the foundation of the Grammar School of King Edward VI., Bromsgrove, Worcestershire, on Thursday 31st of March, 1853." Bromsgrove: Maund and Palmer.

advantage; whilst the prospect of such a thing being within his reach will stimulate many a schoolboy who may not finally be successful, to aim at a higher degree of excellence than he would otherwise be inclined to do. Thus will there be secured in all the Schools of the country, endowed and independent, a uniformity of system and a good curriculum of useful knowledge, to become the groundwork of future distinction and of a more extended Education; the standard and tone of Education will be raised in *every* School, and as it will in this way be necessarily of a better order, even those boys who would have no chance of succeeding at such an examination, yet being reared in the atmosphere of an improved system of instruction, cannot fail of being better taught than they otherwise would be."

There can, at the same time, be no doubt that the present system of Exhibitions requires some modification. The course should be prescribed by the Board, and the examinations conducted either by the paid Commissioners, or under their immediate direction. The successful candidate should be permitted to pursue his studies in any of the Irish Colleges, subject only to the condition of obtaining a certain number of prizes yearly. This condition is imposed by the present Board, and acts as a useful check upon the indolence which past success often produces. The only condition precedent which should be required, would be evidence of having studied for a year at some of the Schools under the management of the Board. Our reason for proposing this restriction is, that a great inducement would then be held out to private Schools, to place themselves in connection with the Board. They would, in a great measure, be compelled in self defence to do so. If of two Schools of nearly equal merit and expense, one could send its pupils to compete for a large number of valuable Exhibitions, while the other had no such privilege, there cannot be much doubt which the public would prefer: at present only four Schools have Exhibitions, and the effect is sensibly felt by their less fortunate competitors. But if forty Schools had this right, the remaining Schools in the country could scarcely maintain the contest. If the whole intermediate education of the country was in this way organized, great advantage would probably follow. In the first place, uniformity of system and a good course of instruction throughout all the Schools of the country would, as Dr. Wall has observed, be established. Such a result would be in itself

a great gain, but it would lead to a still more important change. One main cause of the waste of time and power which has hitherto attended education, at least in Ireland, has been the want of a proper division of labor between the Schools and the Colleges. The latter have always shown a tendency to leave out of sight the Schools, and to aim at a complete system of education within themselves. A glance at their courses will prove this statement. In Trinity College the junior Freshmen commence with Arithmetic and the first book of Euclid, as if no such mysteries were ever taught at School. A large classical course is prescribed for entrance, but to make assurance doubly sure, most of it is read over again during the undergraduate course. The Queen's Colleges profess to require an extensive knowledge, both of classics and science, for entrance, but as they wished, we suppose, to improve upon the old institution, the very books which are appointed for the Matriculation Examination, again appear in the University Examination for the degree in Arts. Many persons wish to render the Colleges, as they conceive, more generally useful by abolishing all preliminary tests, and permitting the student to pursue his favorite studies. But besides other objections, this method would bring the College into direct competition with the Schools. The Matriculation Examination, if it was carefully conducted, and if a proper understanding between the two branches of the profession was established, might mark the end, rather than the beginning, of the student's course in certain subjects. He might thus be left free to follow other branches which could not be conveniently taught at Schools, or to pursue the higher ranges of the subjects with which he was already familiar. It is safer and indeed easier, to bring the Schools up to the Colleges, than to draw down the Colleges to the Schools. A measure which would give such an organization to the Schools as would admit their being dealt with as a whole, and of undertaking a certain definite part of instruction, while the part which the Colleges should supply should be equally well understood, would be a great step towards University Reform.

The most direct and certain advantage which we should anticipate from this system arises from the constant inspection of the Schools. The salaried Commissioners, or if these were not appointed, Inspectors under the direction of the Board, should at least once a year visit every School of the Board, and report upon

its general condition. The healthy and prosperous School would court the fullest enquiry. The ill managed and neglected would alone object. Parents would rejoice in such a system, for it would both prevent and correct abuse. They would also be able to obtain authentic information as to the character of the School to which they proposed to send their children. Masters would find a favorable report of their system of instruction, and of their attention to the health and comforts of the boys, a more satisfactory recommendation than references to a few distinguished persons, whose personal knowledge of the School is often very slight, or even than occasional Honors at the University. The system of inspection has been found very useful in Elementary Schools both in England and Ireland. It has also been tried, as a voluntary system, with some success in the case of intermediate Schools in England, under the care of the College of Preceptors. Its absence in the Endowed Schools of this country is regretted by the Committee on Foundation Schools, to whose labors we have made such frequent reference.

In addition to the complaints of its cost, many persons object to the kind of instruction given in the Endowed Schools, and propose various substitutes for it. Into this subject we shall not enter. The question is too important to be discussed in the narrow limits of the space which remains at our disposal; besides, it does not belong to those legislative changes with which we are now more immediately concerned,—no person would dream of regulating School courses by Act of Parliament,—even the Board should not exert any direct authority in determining them. Indirectly, the Board would exercise a great and beneficial influence through their Exhibitions. If it seemed desirable to encourage the study of any particular subject, they would found an Exhibition for proficiency in that subject. If they wished to discourage some branch already taught, they would simply leave it unendowed. In both cases, the Masters and pupils would soon, unless in some peculiar circumstances, insensibly fall in with the wishes of the Board. Further than this, interference would do, to say the least, no good. The public, with the assistance of the examinations and the reports of the Inspectors, would quickly discover where the best teaching was given, and the best books were used; and the Masters, for their own interest, would not be slow in carrying out the results which were thus obtained. The different

practice of different Schools would be a far more likely method of discovering the truth, than the most careful meditations of the ablest Board. The question, indeed, of the best subject for study at School in the present day is far from settled. But the experience which, in a few years, would be gained from so large an experiment, the results of which it would be the duty of the Board to preserve and digest, would furnish valuable data for the solution of this important problem.

It has been unfortunate that a change in their teaching has generally been mixed up with proposals for amending the condition of the Endowed Schools. Many persons, real friends of education, have been averse to any interference with the Schools, because they feared that inconsiderate changes, made by unskilled hands, were calculated to destroy the proper character of the Schools, and to substitute for accurate study, and strict mental discipline, a superficial, showy acquaintance with some popular subjects. With alterations conceived in such a spirit, we have no sympathy. We have no idea of turning our Schoolboys into members of literary and scientific Societies. Our hope and desire is to see the Schools and Colleges of Ireland combined into one harmonious system, neither of the two ignoring the existence of the other; neither engaged in the hopeless attempt to give an education in itself complete, but the one laying the broad foundation, the other erecting the stately superstructure; the one carrying general education as far as all can travel together on the same road; the other gradually, though steadily, guiding each student to those separate pursuits to which his special circumstances incline him.

In the Royal and Diocesan Schools, the appointment of the Head Master rests in most cases with the Lord Lieutenant. The exceptions are the Diocesan Schools of Armagh, Dublin, Kildare and Meath, and the Royal School of Armagh, which are in the gift of their respective Prelates; the Royal School of Dungannon also appears to be in the gift of the Primate. The patronage of the Private Foundations belongs to the representatives of the original trustees, or to trustees now acting, or to corporations, or to the Bishops of the Established Church. We have already observed, that in no case, except the Schools of Erasmus Smith, and one private foundation of small importance, is any religious qualification required. It would greatly tend to secure proper appointments, if, as Dr. Wall has suggested,

the Board were empowered to present a list of some limited number of names, at each vacancy, to the Patron, out of which he should be bound to make his choice. In default of appointment by the Patron within a specified time after he had been furnished with the list, the appointment should lapse to the Board. It would also serve to remove, still more effectually, religious difficulties, if the patronage of the Bishops was transferred to the Lord Lieutenant. A change in the appointment of Assistants would also be desirable;—at present the Assistant Master is paid by the Board, and is thus in a great degree independent of the Principal. But in a school it is quite essential that perfect harmony should exist among all the Masters, and that the authority of the Principal should be supreme. Such an end can only be obtained by giving the Head Master full power to appoint and dismiss his own Assistants. We believe that one of the largest schools in Ireland received a severe and lasting injury from the imperfect control of the Principal, and the difficulty of removing, without direct proof of misconduct, Assistants who were notoriously unfit for their position. The best plan would be to give the Principal a certain salary, and require him to provide as many Assistants as the School might need.

We have hitherto confined our observations exclusively to the Commissioners of Education, and the Schools which are under their Superintendance. We have still to notice the Grammar Schools which were founded by Erasmus Smith. These Schools were specially exempted from the operation of the Act of George III. and are under a distinct and peculiar management. We do not think that there is any valid reason for this exemption. It can scarcely serve any good purpose to keep up a separate Board, and that too, of so unwieldly a nature as is the Board of Governors of Erasmus Smith's Schools, for the administration of four Schools. At the time when this Board was constituted, no other means existed of administering its trusts. At present the machinery for a more complete execution of the settler's design exists, and the interests of the public, and the Schools would certainly be promoted by placing them under the same control as all similar institutions of the country. The Acts of Parliament which regulate these Schools, require in every particular, careful revision. At present, each of the head masters receives the original salary of a hundred marks, or £66 13s. 4d. a year. The Ushers

seem to have fared a little better. The Charter only allows twenty pounds a year, and one Usher to each School. The Board seem to have strained their power in allowing them £50 or £60. From a Parliamentary return, it appears that the entire expenditure upon the four Schools for the last year has been £658 10s. 9d. Of this sum, £186 17s. 5d. are set down for "rents, poor rates, insurances, repairs and incidentals." Yet these Schools were the immediate object of the endowment, and the gross rental of the estates in that same year, exclusive of Receiver's Fees, exceeded £8,500, and the actual receipts of the Governors were £7762 18s. 9d. This surplus is variously applied under legislative sanction. We might well return so far to the Founder's intention, as to give to the primary objects of his bounty, that "liberal maintenance" with which, as the Charter recites, he was so anxious to endow them. Even if no additional funds for the purposes of intermediate Education were granted, from the Erasmus Smith's estates, their present amount may be estimated at £1,000 a year. The estates of the Royal Schools produce at least £6,000 a year. The Diocesan Schools should bring £4,000 a year. The aggregate revenue of the Private Endowments under the Commissioners of Education is about £2,000 a year. If we suppose the Miscellaneous Minor Endowments to be consolidated, and take their gross amount at one-third of Mr. D'Alton's estimate, we shall have a similar sum. Then a sum of £15,000 a year, would be available for purposes of intermediate Education. Such a sum, if applied on judicious and liberal principles, and administered by men who were really familiar with their subject, would amply supply our present Educational requirements.

It will readily appear that the actual changes in the law requisite to carry out the views which we have indicated are not very complicated, or extensive. Yet, it would be perhaps too sanguine to expect their speedy completion. At some time or other, they will probably come. But in this as in every other case of reform, prejudice and misapprehension, and most formidable of all, the *vis inertiæ* which is generated partly by indifference to the subject, and partly by imperfect acquaintance with it, present serious obstacles. The indiscretion of zealous

* Ordered by the House of Commons to be Printed, 26 May, 1854. No. 273.

friends too increases the difficulty. Some accuse the Board of Education of culpable neglect, if not of something worse. Others would like to make the Endowed Schools subsidiary to the Queen's Colleges. Others would not interfere with existing arrangements, but call upon the government to establish a new set of intermediate Schools. Others again would revolutionize the teaching and the revenues of the Schools. Such proposals are likely to involve the question in difficulties from which it is naturally free. No educational question has ever been beset with so few real troubles. Strange to say there is no religious difficulty. All the Schools, of whatever kind, are open to, and with a few exceptions may be governed by persons of any religious denomination. We propose no new establishment. We seek merely the greater efficiency of those which the wisdom and liberality of our ancestors endowed. We find no fault with the present Board. We thankfully acknowledge that they have acted with discretion, and that their success has been as great as a Board so constituted could attain. We do not ask for particular advantages to any institution. If the Queen's Colleges receive any benefit from the change, it will arise merely from the improved educational condition of the people. There need be no interference with vested rights. We do not ask for the new Board greater authority over the masters of the Schools than the existing Board possesses. We do not recommend any new office. We only divide the functions and enlarge the power of a body already in existence Nor have we been led astray by any wild theory of impossible perfection. We have merely proposed the application of a principle which the Legislature has frequently recognised. Most of our suggestions have been long since recommended, after ample enquiry, by a Committee of the House of Commons. Last, though at present not least in importance, we do not demand any grant of public money. The solitary favor which we ask is, that we may be permitted to use our own resources. *

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* In a previous page of this paper, it was stated that there were no Free pupils at the Erasmus Smith Schools. We now learn that there are twenty-six free pupils altogether in attendance upon these Schools.

ART. II.—THE HISTORICAL SOCIETY OF TRINITY COLLEGE, DUBLIN.

SECOND ERA.

In our former paper,* devoted to the history of this famous Society, we traced its course from its foundation, with the support of the Fellows, to its expulsion, at the command of the Board: we now proceed to relate its chief events from the period when the gates of the University were closed against it: and if, in this statement, it should seem that eloquence has decayed amongst us, let it be remembered that learning and sober thoughtfulness have more than proportionally advanced and flourished.

Soon after the Board had resumed possession of the rooms hitherto occupied by the Society, they offered them to such of the Students as might be willing to accept them, subject to those rules which the original Society had refused to observe. A few of the Students, preferring a recognized position in College, to a participation in the fame and honors of the extern Society, when united with an opposition to the Heads of the University, accepted the offer thus made, and having met together, passed a series of resolutions, for the regulation of the newly-formed Society, holding out, at the same time, to the Members of the extern Society, the privilege, until the 1st of January of the ensuing year, of joining them on subscribing to the resolutions just passed. Among the earliest members of the renewed Society may be mentioned the present Chief Justice Lefroy. At its second meeting, eleven members joined the original twelve, among whom were the late Provost, Dr. Sadleir, and Dr. Kyle, late Bishop of Cork.

We will not dwell on the submissive addresses of the infant Society to the Board, which had just shown its paternal solicitude for such Institutions, by suppressing its predecessor; nor the dignified replies to such addresses, that emanated from those luminaries, but will only remark that, within a year from

* See Irish Quarterly Review, Vol. IV. No. 14. p. 305. Art. "The Historical Society of Trinity College, Dublin—First Era."

the foundation of the Society, its members presented a petition, praying for a relaxation of some of those fundamental rules, which they had accepted from the Board, as the charter of their existence. In one respect, at least the Board yielded to their wishes, and allowed a limited number of the former members, whose names were no longer on the College books, to continue as Honorary members of their Society. Among those thus honored by the Society, occur the names of Plunket, Peter Burrowes, and Richard Jebb, who was afterwards raised to the Bench.

But the feeble and struggling state of the Society, that rendered the aid of some of the former and more advanced members, necessary to its existence, gradually wore away, and from its small commencement soon began to rival its exiled predecessor. One of the greatest ornaments that the Society could boast of, in those early days of its renewed existence, was John Jebb, afterwards Bishop of Limerick. His talents as a speaker were very great, and the practice attained in the Historical Society, he acknowledges, as of signal service to himself in after life, when, on being appointed to the Bishopric, he took his seat in the House of Lords. There his self-possession, and the readiness of his replies, fully displayed the advantages of his early training.

While a member of the Society, he had to lament the loss of two of his most intimate friends, Messrs. Reid and Sargint, whose premature deaths made a great impression on him.

"To these interesting young men, who had been among its chief ornaments, the Historical Society" writes the Bishop's biographer, "wished to pay a tribute of affectionate remembrance, and Mr. Jebb accordingly was invited to address the Society from the chair, in a speech upon the characters and and deaths of their departed friends. His speech was printed by desire of the Society, and passed through two editions. I borrow with pleasure from Dr. Taylor's communication; 'These were the days of the Historical Society, of which Mr. Jebb was a distinguished member, and the charms of his eloquence are still among the pleasant reminiscences of his contemporaries. One only of his addresses has been preserved, it was delivered from the chair of the Society, on the occasion of the death of two young men, Reid and Sargint, youths of high promise, cut off at the moment that the hopes and anticipations of their friends seemed about to be realized. Simi-

larity of dispositions and pursuits had united them and Jebb in the strictest bonds of affection, and he who had to pronounce their funeral eulogy, was the person who felt their loss most bitterly. No stranger can read this simple and pathetic address, without being affected; but those alone who heard it can picture the effect that its delivery produced."

The Bishop long afterwards retained a warm attachment for the Historical Society, and set such a value upon the honors he had obtained in it, as to name specially, in his will, the two medals he had received while a member.

Another of those whose talents obtained him notice in the Society, was Hugh George Macklin, afterwards Advocate-General at Bombay, of whom, Moore in his Journal thus speaks:—

"Among the young men with whom I formed an intimacy in College, some were of the same standing with myself, others more advanced. One of the latter, Hugh George Macklin—or as he was called from his habits of boasting on all subjects, Hugo Grotius Braggadocio—had obtained a good deal of reputation both in his collegiate course, and in the Historical Society, where he was one of our most showy speakers. He was also a rhymer to a considerable extent, and contrived, by his own confession, to turn that talent to account, in a way which much better poets might have envied. Whenever he found himself hard run for money—which was not unfrequently the case—his last and great resource was, to threaten to publish his poems: on hearing which menace, the whole of his friends flew instantly to his relief. Among the many stories relative to his boasting powers, it was told of him, that being asked once, on the eve of a great public examination, whether he was well prepared in his Conic Sections, 'Prepared', he exclaimed, 'I could whistle them.' In a mock account, written some time after, of a night's proceedings in our Historical Society, one of the fines enforced for disorderliness was recorded as follows—'Hugo Grotius Braggadocio, fined one shilling for whistling Conic Sections.'"

In November, 1797, Moore entered the Society, having previously been a member of a junior debating society, that served in some measure, as a training school for the more advanced Association. In a few days after, another name was added to the Society, destined to win for itself a painful notoriety in the troublous times that followed, we mean Robert Emmet. United by a similarity of views, and a kindred genius, of the same standing in College and in the Society, an intimacy of the closest kind sprang up between the poet and Emmet.

How different the fate that awaited each! The one the favored associate of the rich and noble, yet not the less beloved by the lowliest peasant of his native land, has but the other day sank calmly to rest, the wreath of fame resting upon his brow, the regrets of all classes and parties following him to the grave. The other—

> "Oh! breathe not his name, let it sleep in the shade,
> Where cold and unhonour'd his relics are laid:
> Sad, silent and dark, be the tears that we shed,
> As the night dew that falls on the grass o'er his head."

The notices of the Historical Society which Moore gives in his *Journal* we transcribe, as affording a vivid description of the state of party feeling, which prevailed at this time within, what had hitherto been, the peaceful precincts of the Society:—

"The political ferment that was abroad through Ireland soon found its way within the walls of the University, and a youth destined to act a melancholy, but ever memorable part in the troubled scenes that were fast approaching, now began to attract in no ordinary degree, the attention, both of his fellow students, and the College authorities in general. This youth was Robert Emmet, whose brilliant success in his College studies, and more particularly in the scientific portion of them, had crowned his career, as far as he had gone, with all the honours of the course; while his powers of oratory displayed at a debating Society, of which, about this time, 1796-7, I became a member, were beginning to excite universal attention, as well from the eloquence as the political boldness of his displays. He was, I rather think by two classes, my senior, though it might have been only by one. But there was, at all events, such an interval between our standings as, at that time of life, makes a material difference; and when I became a Member of the Debating Society, I found him in full fame, not only for his scientific attainments, but also for the blamelessness of his life, and the grave suavity of his manners. Besides the Minor Society, there was another in College, for the higher classes of students, called the Historical Society, established on the ruins of one bearing the same name, which had some years before been (on account of its politics, I believe) put down by the Fellows, but continued in defiance of them to hold its sittings outside the walls. Of this latter association, Charles Bushe, the present witty Chief Justice, was, if I am not mistaken, one of the most turbulent, as well as most eloquent, members.

In the course of this year, 1797, though I cannot exactly say at what period, I was admitted a Member of the Historical Society of the University, and here, as everywhere else, the political spirit so rife abroad continued to mix with all our debates and proceedings, notwithstanding the constant watchfulness of the College authorities, and of a strong party within the Society itself which adhered

devotedly to the politics of the government, and took part invariably with the Provost and Fellows in all their restrictions and inquisitorial measures.

The most distinguished and eloquent among these supporters of power were a young man, named Sargeant, of whose fate in after days I know nothing; and Jebb, the late Bishop of Limerick, who was then, as he continued to be through life, highly respected for his private worth and learning. Of the popular side in the society, the chief champion and ornament was Robert Emmet; and though every care was taken to exclude from among the subjects of debate all questions likely to trench upon the politics of the day, it was always easy enough, by a side wind of digression or allusion, to bring Ireland and the prospects then opening upon her within the scope of the orator's view. So exciting and powerful in this respect were the speeches of Emmet, and so little were the most distinguished speakers among our opponents able to cope with his eloquence, that the Board at length actually thought it right to send among us a man of advanced standing in the University, and belonging to a former race of good speakers in the society, in order that he might answer the speeches of Emmet, and endeavour to obviate what they considered the mischievous impressions produced by them. The name of this mature champion of the higher powers was, if I remember right, Geraghty; and it was in replying to a speech of his one night, that Emmet, to the no small mortification and surprise of us who gloried in him as our leader, became embarrassed in the middle of his speech, and (to use a Parliamentary phrase) broke down. Whether from a momentary confusion in the thread of his argument, or possibly from diffidence in encountering an adversary so much his senior, (for Emmet was as modest as he was high minded and brave) he began, in the full career of his eloquence, to hesitate and repeat his words, and then, after an effort or two to recover himself, sat down."

Again, in his *Life of Lord Edward Fitzgerald*, Moore thus recalls the appearance and manner of Emmet in the Society:—

"Simple in all his habits, and with a repose of look and manner indicating but little movement within, it was only when the spring was touched that set his feelings, and, through them, his intellect in motion, that be at all rose above the level of ordinary men. On no occasion was this more peculiarly striking than in those displays of oratory, with which, both in the Debating and the Historical Society he so often enchained the attention and sympathy of his young audience. No two individuals, indeed, could be much more unlike to each other, than was the same youth to himself *before* rising to speak and *after*. The brow that had appeared inanimate and drooping, at once elevating itself in all the consciousness of power, and the whole countence and figure of the speaker assuming a change as of one suddenly inspired. Of his oratory, it must be recollected, I speak from youthful impressions; but I have heard little since

that appeared to me of a loftier, or (what is a far more rare quality in Irish eloquence) purer character ; and the effects it produced, as well from its own exciting power, as from the susceptibility with which his audience caught up every allusion to passing events, was such as to attract at last seriously the attention of the Fellows ; and by their desire one of the Scholars, a man of advanced standing and reputation for oratory, came to attend our debates for the purpose of answering Emmet, and endeavouring to neutralize the impression of his fervid eloquence."

Of the poet himself, a contemporary in College thus writes :—" Our young hero's next display was in Trinity College, Dublin, where he entered a pensioner. The Historical Debating Society was then in full health and vigour. Young Moore, in his first speech, made an impression on the auditors that engaged their attention, and struck deeper at every successive debate. He invited me to his rooms in College, to hear him and his fellow-students at rehearsal ; their compositions were exceedingly clever, but my friend had the best, and his delivery was easy and natural, much superior to any that competed with him—his speeches had all the effect of extemporary effusions."

But the friendly discussions of the Society did not long continue uninterrupted. The political horizon had been for some time growing dark and menacing. Without, the power of France, directed as it was by the revolutionary leaders, threatened with invasion, and undermined by intrigue, every country which still continued faithful to its original form of government, and still held aloof from a participation in those dreams of liberty and advancement that could find their only fulfilment in the destruction of all who from birth, fortune, or talents, seemed to be above the common mass. While within, that storm was gathering which so soon burst over our unfortunate country, only to leave its authors, whether deceived or deceiving, to pine away in the dungeon, or to expiate their treason on the scaffold. The meetings of the Society did not indeed cease, but politics took the place of literature, and the fear of invasion forced even the youngest and most heedless to bethink him of defence. In the autumn of 1796, a private meeting was held in College, at which resolutions were passed, expressive of a desire, on the part of the students, to arm in defence of their country, and promising that their academic duties should not be interfered with by their military avocations. When, however, these resolutions

were laid before the Chancellor of the University, he refused his consent, on the ground that such a proceeding would be incompatible with literary pursuits. The late Rev. Peter Roe, from whose *Journals* we take these particulars, referring to this period, writes :—

"Though disappointed in their first attempt, the young and ardent loyalists of Trinity College were, in the end, to succeed. The aspect of affairs became more gloomy. The French fleet appeared off the coast. All armed associations received orders to be ready to garrison the city at a moment's warning, and were served with ball cartridge accordingly. The attorney's and city corps offered to march wherever government thought most advantageous to the public service. On the 26th of December, the Collegians again applied for permission, to be allowed to arm for the defence of their country. They adopted the same resolutions as before, and transmitted them to the Lord Lieutenant, signed by two hundred and five persons, among whom were all the lay fellows and several of the clerical ones. The impending danger which threatened the nation, seems to have procured for the petitioners a more favourable hearing than before: for in two days after the resolutions were presented to the Lord Lieutenant by the Provost, an answer was received, granting to the students that permission to embody, for which they sought so ardently. They accordingly met in the Historical Society room, and appointed a Committee of five, to examine and give a return of all those who were able and fit to bear arms. This was necessary, as several very young lads, who were totally unfit for service, signed the resolutions. The return made was two hundred and ten, none of whom were under five feet six inches. There were about ten represented to the meeting as under size, but able for any service; these by a vote of the meeting were elected members of the corps. It was also voted, that all gentlemen who had taken their degrees in College, and all who attended the College medical professors, were eligible to be admitted by ballot. Immediately after, the newly constituted corps proceeded to the election of its Officers, and to the choice of a uniform. Four Captains and eight Lieutenants were chosen—all of the former and two of the latter were fellows of the University: and the corps selected for their uniform, scarlet, faced with blue, without any lace, and plain gilt buttons—white Kerseymere waistcoat and breeches, with black leggings. Government is greatly praised for allowing the students to embody; as, if there was an insurrection, or any ferment in town among the lower orders of people, we could contribute more to the restoration of peace then any corps in the kingdom, as the name of College carries terror along with it.

"January 10th, 1797—yesterday the College corps received their arms from government, and we have even now made some progress in our exercise. Our Officers are particularly attentive. I was on guard in the College the whole of Saturday night, as the arms were lodged that day in a room. I was very comfortable and happy, as the whole serjeant's guard was very pleasant

and entertaining. I stood sentry two hours; the remainder of the time I was in the Historical Society room, which was converted into a guard room.

"January 21st—yesterday the College corps made its first public entré, and cut a most respectable figure. It certainly was a glorious spectacle to behold two hundred of the first youth and flower of the nation, assembled in martial array, in support of the rights and liberties of their country. We were the admiration of every one who saw us; and all paid the most flattering compliments to our appearance and discipline. .....

"February 4th, 1797, our corps left the College at nine o'clock on Thursday, and marched to the Green, where we waited until a quarter past ten, when a gun was fired as a signal to march. The cavalry went first in files of two, and were followed by the infantry, consisting of eleven corps, ours in the centre; we then proceeded to the Park, and drew up in line on the fifteen acres, where we waited for the Lord Lieutenant, John, Earl of Camden, who came into the field at one o'clock, and was saluted by twenty-one pieces of artillery, which had a grand effect indeed. He then rode along the line, and returned to the camp colours, where we passed in quick and slow time. He was attended by a numerous and elegant suite, amongst whom was the Commander-in-Chief, and a great number of General Officers. He was pleased to express his most decided approbation of the College corps, and was astonished at their discipline and military appearance.

"Amidst all this pomp and pride of War, the Society continued to meet, but events were hurrying on to their crisis, and at last burst forth in the Rebellion of '98. Such a calamity was sufficient to arrest the attention of the most careless, and was felt most acutely by the Members of the Society.

"On the 30th of May, it was resolved—1st.—that the Historical Society, with the warmest feelings for the common cause of their Country, and resolved to join heart and hand in defence of their liberties and laws, which are at this day attacked by disaffection and rebellion, have unanimously resolved to suspend their meetings until the happy return of domestic tranquillity. 2nd.—resolved, that as nothing but the superior voice of our Country could call for this adjournment of our Institution, the Auditor is requested to give notice of the first meeting of this Society, to take place after the long vacation which is now at hand."

When the Society re-assembled, in the autumn, among the new Members proposed we may mention the Right Hon. John Wilson Croker, the late Baron Foster, Mr. Litton, now Master in Chancery, Rev. Charles R. Maturin, * and the Rev. George Crolly; nearly all of whom obtained the honors of the Society either in poetry or oratory. Even whilst a Member of the Society, the merits of Mr. Crolly's poetical

* For a Memoir of Maturin, See Irish Quarterly Review, Vol. II. No. 5. p. 141.

efforts were acknowledged, it having been unanimously voted that he be permitted to publish his poems, now on the Essay Book of the Society.

It was about this time that Moore found himself in some difficulty on account of a composition for which he had obtained a medal, but the tone of which was considered rather objectionable when seen afterwards on the books of the Society. But we shall use the Poet's own account of the matter.—"A struggle in which I myself was, about this time, engaged with the dominant party in the Society may be worth dwelling on for a few moments,—the circumstances attending it being, in no small degree, perhaps, characteristic as well of the good as the bad qualities of my own character at that time of life. Besides the medals given by the Society to the best answerers in history, there was also another for the best compositions sent in at stated periods, either in prose or verse. These productions were all to be delivered in anonymously, and on the night when they were to be read aloud for the judgment of the Society, a reader for each was appointed by rotation from among the members. Taking it into my head to become a candidate for this medal, I wrote a burlesque sort of poem, called an 'Ode upon Nothing, with Notes by Trismegistus Rustifustius, &c &c.' My attempts at humorous writing had not been many, and the fun scattered throughout this poem was, in some parts, not of the most chastened description. On the night when it was to be read, whether by mere accident, or from a suspicion that the poem was by me, I was voted by the Society to be the reader of it; and as I performed my task *con amore*,—though tremblingly nervous during the whole operation,—and in some degree *acted* as well as *read* the composition, its success was altogether complete; applause and laughter greeted me throughout, and the medal was voted to the author of the composition triumphantly. I then acknowledged myself in due form, and the poem was transcribed into the book of the Society appointed to receive all such prize productions.

"Being now open to the cool inspection of the members, the objectionable nature of some parts of this extravaganza began to be more seriously viewed,—at least by the party opposed to me in politics—my own side, of course, seeing nothing wrong whatever in the matter,—and at length notice was regularly given of a motion to be brought forward in the following week for the 'expurging of certain passages in a composition entered on the

books of the Society, entitled 'An Ode upon Nothing,' &c &c.' On the night appointed the charge was brought forward with all due solemnity by a scholar, I think, of the name of Whitty, —one whom, in enumerating the ablest of the party opposed to us, I omitted before to mention. At the conclusion of his elaborate charge I rose to answer him, and having prepared myself for the occasion, delivered myself of a speech which amused exceedingly my auditors on both sides.

"Speaking as the friend of Doctor Trismegistus Rustifustius, I stated that immediately on receiving notice of this motion, I had waited on the Doctor himself to learn his feelings on the subject, and to take instructions as to the line he wished me to adopt in his defence. The description of my interview with this ideal personage, and the ludicrous message which I represented him to have sent by me to his critics and censors, excited roars of laughter throughout,—though not a trace of them now remains in my memory,—and I sat down amidst triumphant cheers. In proportion, however, as my own party was pleased with the result, they were in like degree doomed to be disappointed by the turn which the affair afterwards took. In order to do away with the effect of my speech, two or three of the gravest and most eloquent of the antagonist party rose in succession to answer me; and the first of them (who was, I rather think, Sargeant) began by saying in a complimentary strain, 'I well knew what we were to expect from that quarter; I was fully prepared for that ready display of wit and playfulness which has so much amused and diverted the attention of the Society from the serious, &c &c.' This tone of candour disposed me to listen to the speeches of my accusers with respect; and the solemn earnestness with which they pointed out the ill consequences of affording encouragement to such productions, by not only conferring upon them rewards, but even suffering them to remain as models on the Society's books, all fell with due weight upon my mind. Accordingly, in the few sentences which I spoke in reply, I freely acknowledged the serious impression which my accuser's words had made upon me, as well as the sincere pain I should feel at being thought capable of *deliberately* offending against those laws prescribed alike by good morals and good taste. I do not pretend to remember accurately the words which I used, but such was in substance their import; and though I disappointed not a little, by this concession, the more ardent spirits of my own faction, who had looked forward to a tough party struggle on

the occasion, I was certainly not made to feel by the other side that they took any overweening credit to themselves for the result, or at all abused their triumph; for immediately on hearing my speech, they voluntarily, if I recollect right, withdrew their motion, without pressing it to a division, and the whole terminated without any further discussion. This, at least, is the strong impression produced on my memory; and I remember also that as soon as the excitement of the affair had passed away, I myself, in order to prevent any recurrence to the subject, took an opportunity of quietly removing the composition from the books."

Mr. Croker was chosen to close the Summer Session of 1800 with a speech from the chair, and thus dwells on the advantages of Oratory:—"In the practice of Elocution all the reasoning of Science, the experience of History, and the elegance of Composition have the fairest field for their general display. Oratory is in all conflicts a strong defence and a powerful assailant; to it belong to excite and direct the passions, to kindle the fire of the soul, and rule the conflagration. At its voice nations have started into arms, and the accents of persuasion have stilled the most licentious multitude. On it I may truly say our lives and liberties depend.—In the Senate it is the shield of our Country's rights—and at the Bar the sword of justice, wielded in the defence of persecuted virtue; from its touch corruption shrinks abashed and trembling, and its hand rends the veil of accusation and corruption with which Innocence is too often obscured."

Subsequent to this Mr. Justice Perrin, and the Right Hon. Francis Blackburne joined the Society. Of the latter it has been said that he showed in the Society full promise of the rare talents that so distinguished him in after life; the same clear and pregnant style, teeming with information, and the same sweetness of voice which charmed his auditors at the Bar in later years, in the Historical Society won for him the applause of his coevals and the honors of the Institution.

In 1804 the late lamented Chief Justice Dogherty was added to the long list of illustrious names of which the Society can boast. About the same time Doctor Singer, the present Bishop of Meath, and Doctor MacDonnel, now Provost of Trinity College, joined the Society, and soon after Mr. Charles Phillips became a member. The powers of oratory of the last named soon became conspicuous, and in each year of his membership

were rewarded with the Society's honors. In 1806 Mr. Henry Grattan was proposed. It was attempted to admit him without the usual preliminary ballot, as a tribute of respect to his illustrious father, but the proposal was negatived by a small majority.

In November, 1809, the late Right Hon. Richard Lalor Sheil joined the Society.* He frequently obtained its medals for oratory and composition, especially for the latter. In contesting the former he was opposed, and frequently with success, by the Rev. Robert M'Ghee, the Rev. Doctor Robinson, and Mr. Wyse, now her Majesty's Plenipotentiary at the Court of Greece. In after life Sheil bore testimony to the advantages of such a Society as the Historical in the following terms:— "But with all its imperfections it must be recollected that such an Institution affords an occasion for the practice of public speaking, which is as much perhaps the result of practical acquisition as it is of natural endowment. A false ambition of ornament might prevail in its assemblies, and admiration might be won by verbose extravagance and boisterous inanity, but a man of genius must still have turned such an Institution to account. He must have thrown out a vast quantity of ore which time and circumstances would afterwards separate and refine. His faculties must have been put into action, and he must have learned the art, as well as tested the delight of stirring the hearts and exalting the minds of a large concourse of men. The physique of oratory too, if I may use the expression, must have been acquired: a just sense of the value of gesture and intonation results from the practice of public speaking, and the appreciation of their importance is necessary for their attainment." But whatever Sheil's powers of oratory in the debate, for Composition both prose and verse, but especially the latter, he received repeatedly the honors awarded by the Society. One of the poems for which he obtained a medal has fallen into our hands, from which we have selected the following extracts, as specimens of the early powers of one whose name, in connection with dramatic literature, will ever retain a high and honorable position. This poem was written by desire of the Society, on the occasion of the death of one of its members, whose early powers were such as to add to the grief which his premature disease caused to his friends and fellow students:—

* For Memoir of Sheil, See Irish Quarterly Review, Vol. I. No. 3. p. 375.

"ON THE DEATH OF MR. ROBERTS.

You ask, in mist of roses drest
When evening steals along the West,
When day is set and meeker red
On Dargle's glimmering hill is shed,
When sunbeam of a softer hue
Is idling in the mountain's blue,
When sigh of each departing gale
Scarce heaves along the closing vale,
Scarce whispers to the listening ear
That Contemplation's hour is near—
You ask me, friend, when then I stray
Muttering the while a pensive lay
O'er the dark steep where yew tree shade
Flings a brown horror through the glade,
While cypress pale around is seen
Twining its wreath of twilight green,
You ask, why then with step so slow,
With heart of anguish, eye of woe,
I move where yon drear Abbey rears
The wreck of many an hundred years,
Where gloomy cell and long drawn aisle
And gothic arch in mouldering pile
Present to melancholy's eye
A secret source of sympathy,
While stone with withering grass o'erspread
Bespeaks the mansion of the dead:
You ask why o'er yon rustic tomb
That glimmers through the gathering gloom,
I bend the knee—why to the skies
In sorrow floating raise mine eyes,
Why on the welkin's silver blaze
I pause in fixed and vacant gaze!
Mark ye yon slab with moss o'ergrown,
Yon simple slab—beneath that stone
There lies whate'er the poet's thought
In fancy's fairy loom has wrought,
The reasoning power, the soul of fire
Breathed o'er the chords of rapture's lyre,
Simplicity, with art combined
With friendship's heart, the head refined,
The thought of depth, with genius high

Beneath that humble stone doth lie—
All lie with him who lies so low
With him for whom we melt in woe,
All lie with Roberts—on that grave
Write Roberts—and write nothing save.
Whoe'er he be who wanders by
In that short word I ween will see
His epitaph and eulogy.—
When morn in orient lustre glows
Oft have I watched the opening rose:
So fair a flower—seemed fit to deck
The dimple in Aurora's cheek:
So fair a flower—seemed fit to vie
With roses of Aurora's sky:
But ah! when o'er the crimsoned dell
The curtain mists of evening fell,
Returning to that guardian bower
Where laughed at morn the blooming flower,
The hue of death around was shed,
Down, down was sunk the weeping head
Encumbered with the dewy gem
It hung upon the moss grown stem—
The pride of morn at eve was fled
In one short day the rose was dead!
Alas! e'en so, the fairest flower
That grew in academic bower,
That flower on which each rainbow tint
Of genius, nature did imprint,
For life's poor little morn could bloom—
At eve 'twas withered to the tomb!.....
Ye scenes of joy now past return
I cannot, would not, cease to mourn:
And though ye come with many a tear,
Ye scenes of recollection dear,
Though while ye float on memory's eye
My bosom heaves with many a sigh—
Yet sorrow's cup hath sentiment
Tempered with somewhat of content:
Yes, while the coldest tide of woe
Throbs through my heart in freezing flow,
Yet there's a warm sensation felt,
That bids the ice of sorrow melt.

'Tis true he's gone, and with him fled
The many happy hours we led:
And yet those happy days still seem
To rise on recollection's dream—
Ye dear illusions pause awhile
And sad reality beguile....."

The Poem thus concludes:—

"Come cast one glance on Roberts' bier,
On him on whose ecstatic tongue
You oft in rapture's glance have hung,
While melting o'er the yielding heart
The accents fell with nature's art:
Oh! had he lived, well might I tell
That he his country's sentinel,
Bursting from 'mid our patriot band
Had seized the trump with daring hand,
With freedom's blast had roused the land,
And burning with a virtuous rage
Had crushed corruption in this pensioned age.
Here patriotism, here talents lie,
Come learn from this that you must die:
For ever with the laurel twined
The sable cypress wreath we find!
Though youth may swell the silken sail
That opes to reputation's gale
On pleasure's stream, think, while you steer
From week to month, from month to year,
That stream will empty in the sea
Of fathomless eternity."

While writing of Sheil as a Poet, we may state that another, celebrated afterwards as a successful votary of the Muses, joined the Society about this time; we mean Charles Wolfe, the authorship of whose beautiful lines on the death of Sir John Moore was so long disputed; lines that won from Byron the high commendation, that in his opinion "they were little inferior to the best which the present age has brought forth." "The feeling," writes Medwin, "with which he recited these admirable stanzas I shall never forget. After he had come to an end, he repeated the third, and said it was *perfect*, particularly the lines—

"But he lay, like a warrior taking his rest;
With his martial cloak around him."

While in the Society Mr. Wolfe obtained prizes for several pieces of composition; however, as they have been already published, we need not here refer to them.

But we have not yet exhausted the list of Poets who adorned the Historical Society in this, its Second, Era.

Doctor John Anster, the translator of *Faust*, may likewise be reckoned among the number, and obtained several of the Society's medals for Composition. For one of these prize compositions entitled "An Ode to Fancy" we refer our readers to his volume of early poems entitled *Xaniola*.

On the elevation of Doctor Elrington to the Provostship the Society presented him with a congratulatory address, to which he replied in the most courteous terms, assuring them that he appreciated justly the value of those pursuits, to which the leisure their academic studies allow, is devoted by the Historical Society; and that he should always feel happy to hear of their progress, and always be ready to promote their welfare. Expressions too soon to be forgotten in the heat of a dispute that terminated the existence of a Society in which he himself had won some of his earliest laurels, and received the warmest, and perhaps most sincere plaudits for success.

However, we will not anticipate this unfortunate dispute, but will turn aside to a subject that would apparently find no place here—we mean the glory and popularity conferred on all those who were fortunate enough to share in the splendid exploits of the Peninsular war.

Early in 1812 a Committee was formed to present an address to General Sir William Parker Carrol, who had served with great distinction as a field officer in the Spanish forces, and had been present at the battle of Albuera.

Having been a member of the Society, the occasion of a visit to his native land was seized, to congratulate him on his successful efforts in the cause of liberty in Spain. The Society's sentiments were conveyed to him in the following terms :—

—"Sir, The Historical Society conceive it due to the character of their Institution to express the high sense which they entertain of the exalted heroism, directed by the most splendid military capacity, which has been evinced in the person of one of their earliest and most distinguished members. They are aware that their congratulations can add but little to those which you have already received from every description of your countrymen; they are sensible that they can contribute but in a

slight degree to increase the lustre of the success which has attended your efforts in the defence of the Peninsula, but they flatter themselves that in the unbiassed feelings of youthful enthusiasm you will experience the gratifying testimony of the ardour with which your exertions are acknowledged, and the disinterested emotions with which your successes are appreciated. Many of the most distinguished characters in the senate and at the Bar, have been indebted for their success to their early promise in the Historical Society, but it was reserved for you sir, (we feel it with pleasure, we acknowledge it with gratitude) to make this Institution the road to military preeminence, to render literary pursuits subservient to the noblest of purposes —the defence of our Country and the liberties of mankind. Accept, sir, in the name of the Society by which we are deputed, the warmest congratulations of the youthful heart. We feel confident that it will afford you relief amidst the hardships of war, that it will afford you support in the hour of battle, to be assured that in the seclusion of literary pursuits the youth of Ireland look to your exertions with the fondest anticipations of future triumphs; and while we indulge in the sincerest hopes that you will long continue to obtain the enthusiastic admiration of your Countrymen, we feel warranted in the fullest assurance that you will ever continue to deserve it. Signed—Carrol Watson, Chairman. W. B. Rutherford, J. W. Lendrick, N. Ball."

To this address General Carrol made the following reply:—

"Gentlemen—It is impossible that any language in my power to use can sufficiently express the happiness and pride I have felt at the receipt of the very flattering testimonial of esteem and good opinion which you so handsomely conveyed to me from the Historical Society of the University of Dublin. How often, in the active scenes in which it has been my lot to be engaged on the theatre of the world, has memory transported me to the spot whence this memorial of your kindness is dated. How often have I turned to the scenes of my early and happy youth there passed, to the companions who then shared with me in its pursuits and pleasures, and who, like me in journeying forward, have delighted to linger over scenes of intellectual pleasure and moral improvement, the traces of which are indelible on every heart. Judge then, Gentlemen, whether the esteem and kindness, expressed for me by those who have succeeded me in this early career, and whose future fame will doubtless far transcend that which I can ever hope to acquire, is not most dear to me

as a *man*—most precious to me as a *soldier*. It has been my lot, in common wtih thousands of my countrymen, to aid with my feeble arm a cause in which the oppressed have manfully struggled against the oppressor—in which the most honourable feelings of insulted humanity have warred on our side, and although the day of battle has not always terminated favourably to the wishes of the good and the energies of the brave—yet I am confident the time will arrive when the overthrow of the mighty hosts of the invader shall proclaim to the world that a people fighting in a righteous cause are themselves, in every character, estimable.

I have the honor to be, Gentlemen, your very obliged servant,

Wm. Parker Carrol."

General Carrol was not, however, the only officer who distinguished himself in the last war whom the Society could claim as a former member: General Ross, who was mortally wounded, whilst leading on the British troops against Baltimore, had also, in his College days, been a member of the Society.

The storm which had long been impending, burst over the Society on the re-assembling of the members after the long vacation of 1812. On this occasion the Board published a series of what they termed fundamental rules, which they commanded the Society to observe, and which excluded from the Society those gentlemen who had hitherto continued members, even though their names were no longer on the College books, until of Master's standing; and likewise imposed on the members a new obligation on entering the Society, which did away with that secrecy with regard to the private business of the Institution which had hitherto been uniformly enforced.

In an answer drawn up by a Committee of the Society, they, while acceding in the main to these rules, respectfully remonstrated against several of then, particularly the two above mentioned, as destructive to the Society and detrimental to its efficiency. To this the Board replied, that they saw no reason for withdrawing their regulations. Whether instigated by a wish to destroy the Society, and irritated by its remonstrances, as has been alleged, or really anxious for its welfare, and desirous that it should not, by breaking the rules that had been laid down, forfeit the good opinion of the Board, the Provost

(Doctor Elrington) appears to have been unusually profuse in his communications to the Society. In one of these communications he objected to several of the subjects chosen for debate, declaring that to discuss such subjects as the death of Charles I. or the assassination of Cæsar, might be productive of serious evils. To this the Society replied, by assuring the Provost that the debate on the questions of Cæsar and Charles turned upon the political expediency of the act as connected with the benefit to be derived by their respective countries: that their object in selecting these questions, far from being to weaken those sentiments of morality and loyalty which always distinguish and pervade their debates, was to add to them, if possible, still greater permanence and strength, by giving an opportunity of displaying the superior mass of argument that will ever be found to support the cause of morality. They likewise implored the Board to re-consider its decision as to the exclusion of those members whose names were no longer on the College books; for since they, who had hitherto, by their superior attainments and standing in College, maintained order during the debates, and presided at their opening and closing meetings, had been excluded from the Society, disorder had taken the place of propriety, and the competition for the honors of the Society being now objectless, since even those who had obtained them could stay no longer than others in the Society, had sensibly decreased. To this memorial the Board returned a verbal answer—that "they had determined not to comply with the request contained, &c." But nothing daunted, the Society once more approached the Board with the reasonable request, that on the occasions of opening and closing the session with a speech from the chair, they might be allowed to select some one of the former members whose names were no longer on the College books, and that on these two occasions any one in academic costume, whose name was on the College books, might obtain admission to their meetings. Even to this modified demand the Board would not accede, replying that "the Board have read and considered the foregoing address and cannot accede to any of the requests contained in it."

But we gladly escape from these topics of dispute and recrimination, to a letter from the Right Hon. Thomas Spring Rice, now Lord Monteagle, which will show some consideration, in the Sister Universities, for a Society which its natural protectors were apparently resolved to destroy.

"Dear Sir,

You will, I hope, excuse the trouble I give you in this letter, but my entire ignorance of any other channel of communication, and some idea of the probable utility of the object I have in view, must plead my excuse.

During the three very happy years I passed at Cambridge, I derived much gratification from the institution of a Society, bearing some resemblance to the Historical Society amongst you.

It was founded on the most liberal principles, and from among the 120 or 130 Members who composed it, I have become acquainted with some of those whose moral and intellectual qualities I most highly esteem. A similar Society (the Attic) exists at Oxford. Now as many amongst us, who most deeply felt the pleasures and advantages derived from our Society's meetings were consequently most interested in perpetuating them, an union has been formed between the Societies of Oxford and Cambridge, to institute a central one in London. A certificate of being a member of the former is sufficient to constitute a member of the latter, which is also to be augmented by ballot.—Such was our proposed plan when, at my suggestion, it was agreed that an invitation should be sent to the Historical Society of the University of Dublin to participate in the advantages of our Institution;—I have been authorized to make this proposition known to my countrymen here, to many of whom I cannot but think its acceptance might be attended with considerable benefit. It would enable them to continue the connections and pursuits of their own collegiate life, while it opened to their acquaintance the members of the Sister Universities of England. In any case I cannot fear that the offer can be received otherwise than as it is intended, as a sincere mark of respect for the liberal course of education pursued in the College of Dublin, and as a token of esteem for the abilities that adorn it.

I have the honor to be, &c., &c.

THOMAS SPRING RICE."

Mr. Wolfe was appointed to close the Winter Session of 1814 with a speech from the chair, for which he was unanimously voted a gold medal by the Society. But we refer our readers to the edition of his works, edited by Archdeacon Russell, for the poems for which he obtained prizes in the Society, and for a

copy of this speech. About the same time Mr. Anster received gratifying evidence of the appreciation which his juvenile attempts at Poetry obtained from his fellow students and companions in the Society; he having been unanimously requested to publish his poems, and the speech he had delivered from the chair.

But the fate which had so long been impending over the Society was to be delayed no longer. Taking advantage of a personal dispute between two of the Members, the Board published a series of regulations, which, among other alterations, directed—That a Committee of five should be appointed, in whose hands the entire management of the private business of the Society should rest. The hours for their meetings were also limited, and above all, in importance to the Society, the entire junior sophister class were excluded from entering it. To these regulations the Society remonstrated, through the Committee which had just been appointed by order of the Board, pointing out that the exclusion of junior sophisters would lead to the speedy annihilation of their Society: that their expenses were so great, that if the supply hitherto gained by the admission fees of so many members of the junior sophister class were withdrawn, nothing could be expected but speedy bankruptcy; that as no member could continue such after his name had been removed from the College books, if none under the standing of senior sophisters were admitted, the students would refuse to pay admission fees, and their subscriptions, for merely one year's enjoyment of the advantages held out to them by the Society; and finally they implored the Board to reconsider their enactment of 1812, which excluded their senior members from the moment of the withdrawal of their names from the College books, and which they alleged was the cause of all the complaints made against the Society for irregularity,—complaints which the Board made the pretext for even more severe regulations. The Committee proceeded to lay before the Board what they conceived would be the consequence of the formation of a Committee of five to transact all their private business; declaring that while the order for the exclusion of the junior sophisters would lop off an important and essential branch, which contained within it the rudiments of its future existence, the order now under consideration would lay the axe to the root of their Institution: that none would enter the Society to be under the absolute and unaccountable control of any limited number of their fellow

students, who would ever be liable to the imputation of favoritism, and ever bear an invidious character among the members of the Society. In conclusion, they apologise if they have expressed themselves strongly on any of the subjects alluded to, prompted as they have been, in their remonstrances, as much out of regard for the College at large as for their Society: a Society which had reflected upon the College some share of the reputation and character it had acquired for itself: a reputation proved by the invitation sent from similar Institutions in the Sister Universities to unite and form a central Society in the metropolis of the empire. A Society, the destruction of which would affect, in public opinion, not merely the character of the individuals composing it, but also, possibly, that of the body which had so long been looked upon as its natural guardian and protector.

To this address of the Committee the Provost answered, that by private business is meant all such as related to the conduct of individuals in the Historical Society.

After the delivery of this message the members of the Committee, with the exception of Mr. Graves, the chairman, gave notice that they severally withdrew from it. Mr. Hamilton, one of the members who had first withdrawn from the Committee, upon this moved, that the regular business be suspended for the purpose of taking into consideration the present state of the Society, which motion was unanimously carried.

He then moved, "That a Committee of seven be appointed for the purpose of resigning into the custody of the Provost and Board, the rooms hitherto appropriated to the use of the Historical Society, the late regulations of the Board being, in the opinion of the Society, inconsistent with the successful prosecution of the objects for which it was instituted; and that this Committee be empowered and directed to take such steps, as to them may appear most effectual, for the securing the property of the Society, until a favourable opportunity occurs for the revival of an Institution, the utility of which the experience of twenty years has most satisfactorily evinced." This motion gave rise to a long and stormy debate, the affirmative side being taken by Messrs. Hamilton and O'Sullivan, and the negative by Mr. Graves. On a division being called, 50 members voted on the affirmative, and 14 on the negative side of the question. The Society then adjourned, *sine die*.

And thus closed the career of the Historical Society, that

from the College days of the great Edmund Burke, had held out a fostering hand to the dawning intellect, and cheered on with applause the growing efforts of almost all those whose names are inscribed on the column of their country's history. The halo of such names as Burke, and Grattan, and Plunket, and Bushe, failed to preserve the Society from the repeated assaults of that body which might have been expected to have been its warmest supporters, and the members of the Board unhappily succeeded in bringing to a successful issue their determined hostility to a Society to which every one of them had once owed allegiance, from which they had each received the encouragement and support so necessary to the first efforts of the orator or writer!

It has been asked, can a Society exist in a University whilst freedom of discussion is its object, and the result a certain independence of action and thought. The fate that twice overtook the Historical Society is pointed out as a proof in the negative.

But we do not think that those who are themselves the guides of youth in the pursuit of knowledge, the appointed guardians of learning, must necessarily be opposed to such an Institution. Rather let us suppose that such hostility resulted from misrepresentation, that such constant interference with the affairs of the Society resulted from an overweening care for its welfare. Anything, rather then imagine that, for a paltry breach of etiquette, or a private and insignificant dispute between its members, the Society should incur the hostility of the authorities of the University, and that its destruction could alone atone for the offence. We sincerly hope that the Society which at present occupies the position twice vacated by its predecessors, may never incur a like hostility from its natural guardians; that it never may be again in the power of the enemies of the University to point to the acts of her Governors as partaking, not of the liberality and enlightenment of the nineteenth century, but of the obstructive folly of the middle ages.

Before concluding this sketch of the Historical Society, it may be well to notice a few of the objections that have been brought against such Institutions, by some whose authority must carry considerable weight in whatever opinion they may hold,—foremost amongst whom is the present Archbishop of Dublin. To begin with the first of

his Grace's objections—he objects to the discussing, extemporaneously, subjects of such importance and intricacy as the speaker cannot be expected to be at all master of. Now in reply to this objection we state, that the speeches, as a rule, and an almost universal one, are not made extemporaneously.

The speakers appointed for a given subject have generally from three weeks, to a month, to prepare that subject: and as having ourselves belonged to the Society we can testify, from personal experience, that, with the exception of the right of reply allowed to the gentleman who opens the debate on the affirmative side, every speech delivered in the Society, during the term of our acquaintance with it, had been previously prepared, and that too, very generally, at the expense of a considerable amount of study. And if the very words with which the speech is clothed on its delivery have not been committed to memory, we humbly conceive that that is a very considerable advantage, as being more likely to impress the hearers than if they could perceive that the entire was merely repeated as the parrot repeats its lesson; and also as being much better practice, both in putting together, in a clear and intelligible form, the information already acquired, and in giving additional confidence on being called on, in the more serious scenes of life, to address the public.

Again, the Archbishop declares that in the proceedings of Debating Societies a complete anomaly is presented: that in the course of instruction pursued by the tutors in any well regulated College, it would never be attempted to set a young man to calculate the orbit of a comet before he has mastered the first book of Euclid, or to compose a disquisition on a disputed passage in a chorus of Æschylus before he is acquainted with the Greek declensions and conjugations. Now, as has been well remarked in the Historical Society, the student *does* begin at the beginning. For is he not doing so, when, instead of appearing unprepared, as far as regards oratory, in the pulpit or in a court of justice, thereby perhaps damaging the most important of all subjects by his want of skill, and the confusion consequent on being placed in a novel and trying position; or losing, by his inexperience, the cause of his client, and shutting himself out thereby from those prospects of advancement that might have opened upon him, had his first efforts been unsuccessful, he begins before an auditory with whom

failure will be treated with forbearance, where success will receive its full meed of applause, and where, by a gradual progress from the first confused and hesitating efforts, he will have arrived, by the time he leaves the Society for the more important business of life, at such a proficiency and confidence in himself, as will not allow the cause he is called upon to plead, to suffer by his want of experience. Besides, it must be remembered, that these exercises are merely supplementary, and that the members are not allowed, while prosecuting them, to neglect the various branches of learning which the College course prescribes; that while discussing the subjects appointed for debate they need not have neglected the sciences, they need not have been less attentive to any branch of education which may have been appointed by their instructors.

But our limits, already we fear overpassed, warn us to trespass no longer on our reader's patience. Before concluding, however, there is one assertion which his Grace has made, and to which we must refer. He declares that a system which he advocates "tends to form accurate reasoners, able statesmen, sound divines, good lawyers: the other, showy demagogues, popular preachers to ignorant fanatics, and pleaders qualified for appealing to the passions of illiterate jurymen." Now, without going beyond the limits of the Historical Society, will his Grace call such men as his distinguished predecessor, Archbishop Magee—Dean Graves—or the many other divines whose names have been mentioned in the preceding pages, mere popular preachers to ignorant fanatics? Will he persist in terming Curran, Plunket, or Bushe, as but pleaders qualified for appealing to the passions of illiterate jurymen? It was by painful practice in a Debating Society, after having been laughed down for his action and mode of delivery, that Curran at last educated himself so as to become one of Ireland's greatest orators. It was while addressing the Historical Society that Bushe earned from Grattan the praise—"that he spoke with the lips of an angel." With such names as these on our side, to which we may add those of Burke, and Yelverton, and Grattan, and Moore, and Croker, and Sheil, with a host of others, a few only of whose names we have recorded—with such names, we repeat, on our side, we appeal from the dictum of his Grace, and with all deference for his high authority and great talents we ask, has the only result of the Historical Society been to produce

showy declaimers, agitating demagogues, popular preachers to ignorant fanatics, and pleaders qualified for appealing to the passions of illiterate jurymen?

ART. III.—JOHN BANIM.

PART. II.

RESTORED HEALTH. LIFE IN KILKENNY. REMOVAL TO DUBLIN. ABANDONMENT OF ART, AND ADOPTION OF LITERATURE AS A PROFESSION. LIFE IN DUBLIN. LETTERS. OBTAINS CHARTER FOR ROYAL IRISH ACADEMY, AND IS THANKED BY VOTE OF IRISH ARTISTS. LETTERS. PUBLISHES "THE CELT'S PARADISE," AND DEDICATES IT TO THE LATE LORD CLONCURRY. EXTRACTS. CONTEMPLATES REMOVING TO LONDON. LETTERS. PLAY OF "DAMON AND PYTHIAS" ACTED AT COVENT GARDEN: ITS SUCCESS. EXTRACTS. LETTERS. VISIT TO KILKENNY AFTER FIRST LITERARY SUCCESS. FIRST IDEA OF NOVEL WRITING. PUBLISHES PAMPHLET ON THE ERECTION OF A TESTIMONIAL COMMEMORATIVE OF VISIT OF GEORGE IV. TO IRELAND. EXTRACTS. LETTERS.

In the first part of this Biography of John Banim,* we traced his life history from his birth, in 1798, to the unhappy conclusion of his melancholy first love, in 1817.

The Christmas of 1818 had passed before his health apparently recovered the shock which it had received, during the days and nights of anguish and exposure endured, whilst he watched by the death bed, and by the grave, of Anne D———. We have written "apparently recovered," for, in fact, the results of that woful time were the evils of his after years, and ended but with his life.

With returning health came all the buoyant spirit of youth and hope, and Banim entered into all the pleasures and con-

* See Irish Quarterly Review, Vol. IV. No. 14, p. 270. Art. "John Banim."

vivialities of his native town. Those who can remember what country towns in Ireland were, about six and thirty years ago, will understand the dangerous position in which these tastes and connexions placed him who exhibited ability, and social powers, of even a lesser degree than those of Banim. He formed no low, or mean, or vulgar acquaintances; but, in the round of pleasure which formed his chief solace, he found himself the companion of those who were his superiors in birth and fortune. They were not drunkards,—but they loved the midnight meeting around the supper table: as the glasses twinkled the fancy grew bright; quips and drollery gave a fascinating charm to each, for each—and Banim might truly apply to himself a passage of Charles Lamb's,—"We dealt about the wit, or what passes for it after midnight, jovially. Of the quality called fancy, I certainly possessed a larger share than my companions,"—and thus he became careless of tuitions, and all but neglected his duty to the few Schools and pupils who still continued to employ him. Debts now began to accumulate; credit failed,—and Banim, disgusted by his course of life, resolved, after a very few months' experience of its evils, to abandon all its temptations and false pleasures. This was not difficult; at all periods of his existence he was temperate, and in joining the convivial parties of his fellow townsmen, he sought only a relief, in society, from the pains of memory and the woes of solitude.

Although inattentive in these times, to professional engagements, he had not been completely idle: he had painted a few portraits, and had become a contributor to a local newspaper—*The Leinster Gazette*, of which he became the editor. This latter employment he considered a very important one, as it was a walk, however humble, of the great path of literature. It gave him, he thought, a position as a literary character; and indeed he is not the first distinguished man whose genius developed itself in the columns of a provincial journal. Debts and difficulties, however, gathered around him, and, with many another man, he found that small, like great, "pleasant vices," entail long, painful, and harassing repentant regrets. Insignificant as his debts were, in amount, they formed a terrible obstacle to the peaceful pursuit of his profession. He had begun to lament his five months of dissipation; he was then, and ever, sensitive in regard to money matters, and thus he became morbidly eager in his anxiety to discharge every monetary claim against him.

With restored health he had recovered his courage and love of literature. He believed that as an artist he could not succeed, unless he devoted time to perfecting his taste and skill, and time he was not satisfied to spend in the acquisition. He had pleased himself by his literary efforts, published in the local journal, and he fancied that by other, and better considered labors, he could please the world of readers. He was not formed by nature to lag, or hesitate, when he had once formed a project: he determined to abandon the profession of an artist for that of an author. It was a poor chance, in truth; but when did genius or courage—and what is genius but the noblest courage?—doubt? and Banim resolved to leave Kilkenny, and try his fortune in Dublin. He knew that great difficulties should be overcome before his merit could be appreciated, or even known: he possessed few friends in the city, and they were chiefly amongst the artists, the late Thomas J. Mulvany being the most remarkable, and most likely to aid him. But these considerations were unheeded. He wished to be out in the great world, amongst the clash and jarring of minds and interests, where the strong bold will, and the ready mind, or the flashing wit could win golden fame, and hold it safe and surely. He longed to be away from the scenes of his lost hopes, his past-by joys, his present sorrows, and he would dare, or seek difficulties, that he might find a greater glory in their surmounting; thus resembling that bright image of young genius, as Virgil has described it in the character of Ascanius—

"Optat apruma, aut fulvum descendere monte leonem."

Early in the year 1820, Banim left his father's house for Dublin, and from this period we may date his life as a literary man. Mulvany had known him, whilst he was a pupil in the School of Art, of the Royal Dublin Society, in the year 1813, and now received him kindly, and aided him by his counsel and interest.

At this time the Dublin artists were endeavouring to obtain a Charter of Incorporation, and a Government grant in aid of the profession in Ireland. Banim loved the old memories of his art pupilage, and he gave all the assistance in his power to strengthen the claims and demands of its Irish members. At the period of which we write, reporting for the public journals was not so highly valued as at present; whilst "Leaders," and their writers, were much more important than in our day. Banim had become a contributor to two or three of the more important

papers, and he was thus enabled to serve the interests of his former professional brethren, through his position on the newspaper Press. His services were not denied by the artists, and when, in the year 1820, the Charter of Incorporation was obtained, they presented him an address, and a considerable sum of money, as a testimony of their appreciation of his successful efforts to support their interests, and the advancement of Art in Ireland.

His life in Dublin was a hard and disheartening struggle with disappointments, and his wants were many, and yet such as make the poor proud man of genius, who would be successful, a silent, long-suffering martyr. The debts contracted during his wild days in Kilkenny were a source of anxiety from which he could not easily escape. He was ever anxious to repay this money; and, as we shall hereafter find, he set aside the first sums received from the publishers to defray these charges. The debts, and the thought of the times in which they were contracted, ever haunted his memory, as relics of a period of awful agony and disappointment. But this desire to forget the past extended but to that painful epoch of his unhappy love; whilst the thought of home, the true-hearted affection for all who dwelt there, were as bright and pure as in the days of his residence in Phibsborough, when a student in the art school of the Royal Dublin Society. He loved ever, and always, the scenes of childhood's joys and sorrows; and when he had been some months in Dublin, we find that he thus wrote to his brother, describing his feelings for home:—

"*Dublin, May 10th,* 1820.

My dear Michael,

The health that I enjoy is wonderful to myself—do not be so fearful on my account.—You that stay at home, and are very happy, have many superfluous apprehensions about a younger son or brother, who roves about a little.—Be assured of this, my dear and only friends, almost the sole thing that sends the blood to my heart, or the tear to my eye, is the recollection now and then, that I am parted from you—but this gives me greater strength for the struggle to get back, and back I will return, if God spares me life, and we will spend and end our days together."

He had, about the date of this letter, begun to think that he

possessed sufficient ability to enable him to work his way in the great world of London. He had found that Dublin gives but small hope to him who depends on literature, alone, as the means of support; and though his friend Mulvany, and the late Joseph Kirk, were willing to aid him in all his prospective successes, he was dissatisfied with himself, and with his position. He was a poor man, but, like Griffin, a bold, daring one, who would not wait upon fortune, as a suitor. He told his brother, Michael, that he had determined to seek his bread in London. Michael remonstrated; reminding him that many men of greater talent and experience than he possessed had gone to the wonderful city, and launched upon its vast troubled sea the ventures of their lives, and that wreck and ruin had been their fate, after weary struggles of unavailing energy, and of unflagging, patient, mental toil.

But the brave heart, self reliant and conscious, would not doubt of success, and but rested until means could be secured to defray the expenses of the journey and outfit. When that true genius, Chatterton, wrote home to his only friend—his mother, that, "by abstinence and perseverance, a man may accomplish whatever he pleases;" when great Samuel Johnson came up to town, and learned, gratefully, from the Irish artist —whom he has called *Ofellus*, in his *Art of Living in London*— how to exist respectably on ten pence a day; when poor Gerald Griffin, pure, bright soul of genius, went forth a boy, to gain the fame for which his breast so panted, not he, not any one of these, felt more deeply or more truly the whole-heart devotion to literature than did Banim, when writing the following letter, in reply to his brother's cautions and warnings. We read, in the whole range of literary Biography, and God knows it is sad enough, even without the terrible roll of agonies, which Isaac Disraeli has collected in that martyrology of genius—*The Calamities of Authors*, nothing more pathetic than these words, in the succeeding letter, "I know not how long I could fast: even that I may be called on to try. I have been the best part of two days without tasting food of late;"—and then comes the grim addition— "often have I gone to whistle for my dinner." And this is the man who having achieved fame, by his now exertions, has but now had a memorial in his native town, and whose life history was, until we procured it, unknown.

The letter to which we have last referred is as follows:—

"*Dublin, May* 18, 1820.

My dear Michael,

You speak very gloomily on the uncertainty of my means if I go to London.—Don't let your fears affect you so keenly.—I have not found a crock of gold—nor has a prize in the lottery turned up for me. But with heaven's help I shall not want means. No man of ordinary talents wants them in London—with proper conduct and half the introductions I hold. Say I possess no talent—this you will not say: it would not be what you feel. I have a consciousness of possessing some powers; and situated as I am, it is not vanity to say so. I have health, hope, energy and good humour, and I trust in the Lord God for the rest.

I know not how long I could fast: even this I may be called on to try. I have been the best part of two days without tasting food of late. Often have I gone to whistle for my dinner; and once I walked about the town during the night for the want of a bed. I see you start at this. I can assure you, without affectation, it has amused me, and I thrive on it. I am fatter, and better looking than when you saw me. At the present time, I am comparatively rich, and go as high as ten pence for my dinner, and a goodly plate of beef and vegetables it is."

This sad letter is but the plain statement of Banim's condition in the early period of his connection with the Dublin press. In addition to his employments upon the metropolitan journals, he obtained some slight assistance to his funds from occasional contributions to the provincial papers. He wrote some very clever, but ephemeral, articles for a now forgotten paper—*The Limerick Evening Post.* These contributions were on all subjects of the day, particularly theatrical topics, and bore the signature—*A Traveller.*

Amidst the toiling of his every day life the old love for poetry, and poetical composition, was ardent and true as in the time when he aspired to be the "brother poet" of Moore; and he devoted his leisure hours to the composition and construction of poems and dramas. He had been introduced to Charles Philips, at that period a man of note, and of rising fame in Ireland. Philips had just published his poem, *The Emerald Isle,* and his *Specimens of Irish Eloquence;* and having obtained for himself the reputation of taste and ability, was willing to assist, by his counsel and interest, any worthy literary man who

needed either. He found in Banim a young, ardent genius; he examined some of his poetical compositions; he advised, and suggested, and his wishes were acceded to most cheerfully and readily. By Philips' advice Banim abandoned, for a time, his proposed removal to London, and applied himself closely to the completion of a poem which he had commenced, and which he called *Ossian's Paradise*. Philips showed some portions of the poem to Sheil, and to Mr. William Curran, * and the latter gentleman, having read some passages to the late Lord Cloncurry, his Lordship expressed his willingness, in accordance with Banim's request, to accept the dedication of the work. These, however, were not the only personages who expressed opinions favorable to Banim's ability. The manuscript was shown to Sir Walter, who, with his never failing kindness to young authors, read the extracts submitted to him, and expressed his approbation of the composition.

Thus, at length, Banim seemed about to achieve that position in Literature for which he longed, as eagerly as he who cried—

> "For Poesy my heart and pulses beat,
> For Poesy my blood runs red and fleet,
> As Moses serpent the Egyptians' swallow'd,
> One passion eats the rest."

His life was now full of hope, and he thus wrote to his father :—

"*Dublin, October* 12, 1820.

My dear Father,

When difficulties pressed most on me, I determined to wage war with them manfully.—I called on my own mind, and put its friendship for me to the proof.—In the midst of occasionally using my pencil, of newspaper scribbling and reporting, and surrounded by privation, and almost every evil but bad health, I manufactured some hundreds of verses, with notes appending, which I called—'Ossian's Paradise.'

I handed Ossian's Paradise to a friend, an eminent poet, a celebrated orator and lawyer.—He shewed it to a friend of his, a Mr. C———n, who introduced it to Lord Cloncurry—it pleased both.—It was subsequently submitted to the greatest writer of the day—Scott—his judgment was :—'It is a poem possessing imagination in a high degree, often much beauty of language, with a considerable command of numbers and metre'—This

* Now Ex-Commissioner of Insolvents.

opinion was accompanied by a candid criticism on particular portions, with a view to its success when published.

Ossian's Paradise is to be published by Mr. Warren, of Bond-street, London. I am to receive £20 within a month, with fifty copies to dispose of on my own account. If it runs to a second edition, £10 more—these terms my friend before mentioned, Mr. Shiel, thinks advantageous.

My dear Father, do not blame me for not communicating this matter in its progress. I will explain my motive. My failures hitherto, had given to all of you at home, quite enough of uneasiness, and I wished to have a rational probability of success in view, before I should excite your interest: if I had failed, I had determined to be silent on the affair to you, my mother and Michael, and to all the world besides.

Do me the favour, my dear sir, of requesting Michael to read this letter for my old schoolmaster, Mr. Buchanan, * and fill your glass in the evening to the success of Ossian's Paradise, when you three are seated round the little octagon table in your own sanctum sanctorum.—And my own dearest mother—perhaps she may have cause to think more respectably than was her wont of my rhyming propensities."

These were the real truths of his position and hopes, and to some cautions of his brother, Michael, against indulging in too sanguine expectations of success, he thus replies:—

"*Dublin, October 17th*, 1820.

My dear Brother,

I am not erecting a structure on the doubtful success of Ossian's Paradise.

The panting desire for fame is corrected, I will not say extinguished in me—I have before now allowed the vivacity of hope, or the restlessness of suspense, to torture and distract me—but this shall not be again. I have held out my hand to grasp my object over and over—I have never yet touched it.—Disappointment with me became as systematically attendant on exertion, as shadow upon substance; so much so, that I could not get a glimps of the one without looking hard for the other——so I will not reckon on success, in this instance, before hand.

I will tell you what I intend doing—I am strongly encouraged by persons whose judgment I ought to respect, to prepare a second poem:—I regard the present as an opportunity not to

* See Part I. of this Biography, for an account of Bucanan, in Irish Quarterly Review, Vol. IV. No .14, p. p. 275, 278.

be neglected, and I am, and will continue to be, at work accordingly. Of course I give up for the present my journey to London.

While I occupy myself with this second poem, I have to make out £1 per week—every shilling of Ossian's money being destined to liquidate my debts, as far as it will go."

The reply to this letter was satisfactory; and he thus explains why he has resolved to become an author, and why he has selected Literature as a means of placing himself in a position of comparative independence—at least of his creditors :—

"*Dublin, October 27th,* 1820.

My dear Michael,

You are quite right in supposing I do not calculate at present with a view to the remote future—in fact, my dear brother, you will see I cannot do so. My only speculation just now, is, and ought to be, the payment of the last shilling I owe, and this must be done by any means that are the readiest, and are honourable.—But what are the readiest means? I see none, I am unconscious of any other within my reach, but the pen. This may be a fallacious assistant; most probably so. But I am rationally encouraged, so far at least as to make indifference to the opportunity criminal."

Like Hazlitt, Banim had now finally, at the prompting of genius, relinquished the brush for the pen, and some months before Ossian's Paradise appeared, he commenced the composition of a second poem. With the old love of home still, as ever, around his heart, he thus writes to his father, and the mingling of poetry and clothes reminds one of Moore's early London Letters. He writes :—

"*Dublin, November* 30, 1820.

My dear Father,

I am employed for another, and larger, work, which in case of the success of the present, Mr Warren promises to give me a fair price for.—I am not flattered into any thing like sanguine hope. I will continue to do my best; if I succeed I will thank God—if I fail it may be for the better, and I will thank him then also.

In remembering me to my dearest mother and to Joanna, say that I thank them for their present; they have knitted me a fine lot of stockings indeed, they fit me excellently well, and to all appearance they are everlasting."

He had, whilst dwelling in his country home, formed the usual ideal of a poet, and fancied that genius was all inspiration, that poetry sprang up, spontaneous, from the brain, requiring little care or culture. His ideal had been the conventional one of those who contribute to the "Poet's Corner" of provincial newspapers; but, a few months spent in the world, and amongst books, taught him that poetry, like every other pursuit of mankind, requires patient, thoughtful application; and that he who would

"fling a poem, like a comet, out,"

must be careful lest his planet flame but as a fire-work meteor. We shall, hereafter, find how anxiously he had considered the materials by which a novel can, and should be formed: in the following letter he half gravely, half humorously, describes the qualities requisite to constitute the Poet and the Philosopher. The letter is addressed to Michael Banim:—

"*Dublin, December* 28, 1820.

My dear Michael,

Poetry is a different thing altogether from what I considered it to be some time ago. A good poem is not the fire flash of inspiration—it is rather the steady sober light of a large pile of solid, inflammable materials, first collected with choice and patience, and then fired with a steady and skilful hand.—From what you recollect of my verbose effusions, you will judge how little I knew of the craft.

You confound the Poet and the Philosopher—they are different beings:—

Receipt to Make a Philosopher.

To make a Philosopher, take a subdued and austere understanding,—a knowledge of all the theories and facts on all the subjects, things, systems, matters and essences, in the world, and over, and under, and round about the world,—in the body of man,—in the mind, soul, spirit and heart of man,—in his brain, and in his motions, actions and formations,—of all compounds, simples, and intelligences, in the air, sky, and space above the earth, and in the waters under the earth, and in the eternities above the air, sky and space, or below the waters.

Take a consummate and intimate acquaintance with all the histories of all the nations, that have even existed and do exist—of all the languages ever spoken by man, in every age

and nation—accompany these mere acquirements, with an understanding prepared to appreciate; a judgment capable of enumerating, arranging, comparing, discriminating, combining, separating, and deducing.—To generate and mature your accompaniments, keep the mind, for God knows how long before, exclusively exercised, in the most rigid, practical, and matter of fact habits, and this done you have your Philosopher.

Now for

A Receipt to Make a Poet.

Let the mind, by early practice and associations attain, first, a quick susceptibility of the beauties of nature, in her material works, and in her immaterial complex operations; in the heart and passions of man, as produced by extrinsic circumstances. Keep the fancy and imagination always up, always ready to be fixed by the slightest touch from a beautiful scene, a pathetic expression of feeling, an impressive situation, an heroic character, or a romantic association.—Let the individual in preparation feel strongly that trees, rocks, flowers, and sky, and water are beautiful—but you need not teach him why, and by what combined operations, and remote contingencies, they are so.—Let him feel the effect; be not anxious he should understand the cause.—Thus qualified to receive his assorted materials, next cultivate his taste, on the best poetical models; thus he may learn how to select, refuse, and combine.—After this initiate him into a thorough knowledge of rhetoric, that he may acquire the simplest and shortest way of expressing his feelings.—All this done, shake him well, and continue to shake him, that the proper ferment and excitation may always be kept up.—And here is your Poet.

N.B—If you give him his meals regularly he will become indolent and dull.

If the understanding be exclusively cultivated, can the imagination soar? The poet and the philosopher are necessarily dissimilar, creatures.—Perhaps a little, only a little, of the one mingled with the composition of the other, might make both of them the more perfect.—In building his structure, the philosopher must use the square and compass, the proper order of architecture must be observed throughout,—and from the quoin stone to the pinnacle, every thing must be uniform, and solid, and infrangible.—

With the poet originality must stand for method; diversity for order.—And throughout the whole of his fairy palace, inside and outside, the line of beauty must play and curve, with easy and unaffected grace and vivacity."

Our poet was now happy in his rational hope of success; the poem, however, did not appear until the month of February, 1821. Some short time previous to the period of its publication, Banim by, we believe, Sheil's advice, altered the proposed title from *Ossian's Paradise* to *The Celt's Paradise*, and under the latter title the poem was issued. The dedication was as follows:—"To the Right Hon. Lord Cloncurry, as a small Tribute of the Author's Admiration of his Lordship's Public Spirit and Love of Country, the following Poem is most Respectfully Inscribed."

This poem is now all but unknown, and a copy is rarely to be found, even at the book-stands or literary auctions. Yet it possesses passages of considerable poetic vigor, and of great beauty. *Saint Patrick* and *Ossian*, the Bard, are represented as discoursing chiefly on subjects of Irish mythology, and the latter thus describes the Celt's Paradise:—

Man of prayers, I wish not
The raptures of thy cloudless lot.
Enjoy thy heaven. I know where lies
Old Ossian's only Paradise!
'Tis with the beautiful and brave
Beyond the wild and wailing wave
Of this cold world. The summer there
Is cloudless, calm, and ever fair.
I saw it once! my waking blood
At that one thought rolls back the flood
Of age and sorrow, and swells up
Like old wine sparkling o'er its cup.
I'll tell thee of the time I spent
Beneath that cloudless firmament,
And thou shalt judge if aught could be
So pure a Paradise to me,
If by my own frail spirit led
Its smile I had not forfeited.
Give me the old Clarsheeh I hung
On my loved tree, so long unstrung,
E'en to its master's measure free,
It may refuse its minstrelsy:
But give it—and the song tho' cold
May kindle at a thought of old,
Of younger days—and now and then
It may be strong and bright again.
Hear a song of age's daring,
The sighings of the harp of Erin!
Waken thou, the warbler of the West,
Waken from thy long, long rest!

In this Paradise the highest place is thus assigned to the patriot, and patriot poet:—

All were happy; but some felt
A holier joy, and others dwelt
In higher glory. I saw one
Who, for the good deeds he had done,
On earth, was here a worshipped king,
Triumphant o'er all suffering.
On the utmost verge of his own shore,
One foot amid the breakers' roar,
Another on the rocky strand,
He met the invading foe,—his hand
Grasped its good sword: he was alone
And they were thousands; and when flown
His strength at last, he could but throw
Between his country and the foe
His heart,—and, thor' it, bid them smite
At her's.
He fell, but in the light
Of Paradise the hero's deed
Found fittest eulogy and meed;
The gaping death-gash on his side
Was turned to glory; far and wide,
As a bright star, it beamed; and he
Walked on in immortality,
Worshipped and wondered at: the brave,
Unconscious, to his virtue gave
Honour and fame and praise,—the old
Blessed him as he passed by, and told
His name in reverence;
And thousands rushed,
Forgetful of themselves, to gaze,
And give, in looking, their heart's praise
To him, of heroes the highest and best,

Whose death-wound was turned to a star
on his breast.
With him walked one in converse high,
Music and song
At his birth informed his tongue,
And fired his soul, and with them came
The throb for freedom; but the name
Of his own land had passed away,
And fettered amid her waves she lay,
Like a strong man on his hill,—the bard
In all her breezes only heard
The sigh of her past fame,—no strain
Rose o'er her desolated plain
To mourn her glories gone, or call
The blush of shame for her early fall
Up to her cold destroyer's cheek,
Or on his heart in thunders break,
But the bard caught up his harp, and
woke
His COUNTRY'S SONG! and as it broke
Forth in its pride, unmoved he met
From despot tongues their chide or threat,
Their lordly frown or luring smile,
That strove to silence, or beguile
To silence, a song so high and bold,
So true and fearless; for it told
Her tale in every strain! The wrong
And outrage she had suffered long
Went forth among the nations; till
The eyes of men began to fill
With sorrow for her sorrows, and
Even in that cold and careless land
That wrought her woe, one manly sigh
Was heard at last in sympathy
With all her sufferings; and for this
Thro' our world of light and bliss
He walked immortal, side by side
With him, the hero, who had died
The highest death a man can die
For his native land and her liberty!
And equal reverence to the bard
All creatures gave; and his reward
Was equal glory,—a blessed song
Went with them as they passed along;
It was over and round them on their way,
And ever it said through the cloudless day,
"Joy to the hero who dared and died
For his country's honour, and fame, and
pride;
And joy to the bard whose song brought
fame
And pride to his fallen country's name!"

The Celt's Paradise has its Eve, a thing of aerial beauty "who mov'd in light of her own making." Had *The Loves of the Angels*, or *Heaven and Earth*, been published before the appearance of Banim's poem he could not escape the charge of plagiarism, but as *The Celt's Paradise* was issued some months before these works, the coincidence is less striking than that which so plainly appears between these two fine compositions.

Ossian thus describes the first appearance of the fair spirit:—

I sat in the tall tree's trembling shade,
And the moss of its trunk my pillow made.
My eyes could not their watching keep,
My soul was sinking in its sleep,
And wild and wavering thoughts came on,
Of deeds imagined, actions done,
And vain hopes mingling with the true,
And real things a man may do.
A sigh came o'er me soft and warm!
I started—but nor shade nor form,
Appeared thro' half-seen gloom around,
To utter such a silver sound.
It might be the sob of the summer air,
Which glowed so rich and sultry there—
Again I slumbered—again the sigh
Of woman's fondness fluttered nigh—
And while I listened, gentle lips,
Gently met mine—and, touched, and
trembled,—
As if beneath the moon's eclipse
Alone, love's feeling long dissembled,
Might dare to own in bashful kisses,
Its maiden flame and modest blisses.
Fondly I raised my arms and prest,—
They closed upon my lonely breast.
Back from their kiss the young lips started,
Sighed one rich sigh—and touched and
parted—
I thought of the huntress young and fair,
Whose gifted glance had left me there,
And I said in the strength of my young
heart's sigh,
While the tear of passion brimmed mine
eye,—
——"Lady of Kisses!—Lip of love!—
From the air around or sky above,
Come and bless my desolate arms
With the richness of thy charms."

The charms of his spirit-mistress are thus described, but she seems to possess too largely the graces of a houri:—

And shining and soft was her virgin form,
In full blown beauty wild and warm!
I know not if aught of earthly blood,
Mingled with the magic flood,
That fed her veins—but you might see
A rich vein wandering sportively,
Beneath the bright transparent skin,
That kept it's sparkling essence in.
'T was an earthly shape but polish'd too high
For an earthly touch or an earthly eye—
'Twas an earthly shape!—What else could be
Moulded or made to rapture me?

What other form could loveliness take
To bid my doating eye balls ache,
And boil my blood and fire my brain
In agonies of blissful pain!—
Nay, Saint, I pass thy word of scorn—
Thyself hath sung this very morn,
Of beautiful and blushing things,
With golden hair and snowy wings,
Fair beyond minstrel's fancyings,
Who, moulded like to forms of earth,
Even in thy own heaven have birth,
Tho' basking in such holy light,
Hath made them look more soft and white—
I tell thee there she sat with me,
Fairer than earthly woman may be—
And she floated before my fainting glance,
Like the shapes of air that softly dance
Round the glorious evening sun,
In the joy that his daily task is done.
Her eye was large and soft and dark,
Floating in fondness—often a spark,
Of mild and chastened light shone through,
And it was even as a drop of dew
Half seen within a darkened bower,
In the morning misty hour,
And you might know that underneath
All of her that did look or breathe,
There was a spirit pure and chaste,
As ice upon the unsunned waste,
Or silver waters under ground,
That the searching day has never found.

The following lines, descriptive of the lovers' life in Paradise, are very musical and fanciful:—

Or we wandered among shining streams,
That like the bard's delicious dreams,
Ever flow thro' beds of flowers,
And golden vales, and blushing bowers.
And all in playfulness we gaze,
With sportive and well feigned amaze
On the water—and start and blush,
To see ourselves there, and we rush
And plunge together, as if to save
Each other from that innocent wave,
Then with it go and glide along,
In echoing laughter, mirth and song.
Or alone we sat by the foamy fountain,
In the solitude of the silent mountain,
And I plucked a water-flower from its flow,
And wreathed it with leaves on the mountain that grow.
And when on her head it was a crown,
At her feet I knelt me down,
And called her the lady and the queen,
Of that wild and desolate scene.
Or often—for our pure nature gave
That triumph over the gloomy grave—
Often our spirits winged away,
Disembodied through the day,
And into aught they would possess,
Breathed themselves in gentleness;
And so became the breeze or dew,
Or shrub, or flower of any hue.
Then sometimes my love was the tall young tree,
That grows on the mountain lonelily,
And I was the wooing eglantine,
Around her slender shape to twine,
And climb till I kissed the topmost bough,
That blossomed on her fragrant brow;
Or she was the softly opening flower,
Among a thousand in her bower,
And I was the bee that passed all by,
'Till I saw my own flower blushing nigh,
And then in her bleeding bosom I lay,
And sipt its sweets and flew away.
Or still she was that rose, and I
Came down as a soft wind from the sky,
And sadly I sighed thro' fields and bowers,
'Till I found at last my flower of flowers,
And then beneath her folds I crept,
And there in perfumed sweetness slept.
Or a crystal drop was on her leaf,
And I playfully called it the tear of grief,
And then I was the loving light,
To kiss away its essence bright!
Or she kept her own immortal form,
And I came as the breezes wild and warm
Of which she breathed. I was a sigh
Within her heart, alternately
Coming and going, or as she lay
Reclining, I stole in amorous play,
And fluttered all over her gentle frame,
As if to fan its virgin flame!

This poem, we need scarce remark, is not at all worthy of that reputation which Banim afterwards attained; but it exhibits undoubted proof of poetic ability, and is distinguished by an intensity of feeling, very perceptible in his plays, and in his novel *The Nowlans*.

The poem would have reached a second edition, but, unfortunately, Warren, the publisher, became bankrupt, and all Banim's bright hopes and expectations were, for the time, crushed.

He does not seem, however, to have permitted this disappointment to check his ardor in the pursuit of literary fame. He had succeeded in gaining a price, (and not a low one for a poet

unknown to the public and the trade,) for his work, and he saw in this success the first dawning of his future fame. He continued to occupy his unemployed hours in writing plays and poems. He composed, amid all his wants and necessities, a very long and elaborate poem, and a tragedy, entitled *Turgesius*; but, as we shall presently find, the latter was rejected by the Theatres, the former was condemned by Banim himself, and both were eventually committed to the flames.

He had occasionally his hours of relaxation, and these were generally spent with his friend Mulvany. One of their favorite amusements was to walk observingly through the streets, and guess, from the general appearance of the passers by, the trades to which they belonged. Each of the friends prided himself on his discernment; and years afterwards Banim used to look back to those walks with all the grave joys of pleasant memory; and loved to tell how, when they differed as to the trade of the passenger under discussion, they watched his features, endeavouring to discover if he were good humored enough to reply civilly to such questions as, Are you a tailor? or, Are you a shoe-maker? and how, of twenty persons named tailors by him, only two were discovered to be of other trades.

His fortunes were now about to brighten; and of his hopes, and fears; of his studies and pursuits at this period, he gave the following account, in a letter addressed to his father:—

"*Dublin, March* 10, 1821.

My dear Father,

I have made it a point not to trouble you with any of my humble speculations, until they should arrive at something of a reasonable prospect of success.—Therefore I did not write any account of a matter, which I now sit down to detail.—

You recollect my old tragedy, bearing the magniloquent name of 'Turgesius,' which you at home thought so highly of, and which, if you remember, Mr. Buchanan pronounced to be, 'most honourable to him, as emanating from a young gentleman, while a pupil of his English academy.'—Through a friend, this was forwarded to Mr. Elliston, manager of Drury-lane Theatre—by whom, my friend's good opinion notwithstanding, it was rejected—with some softening praise to be sure—but rejected it was.

After that,' Ossian's Paradise,' (the title of which by the way I have changed, and now call it 'The Celt's Paradise') occupied

exclusively my leisure hours.—When this was put into train for publication, in the end of October, I sat down to refit old 'Turgesius' for another trial—this took me three weeks of what time I could spare—and then, at the instance of the friend before hinted at, I sent him to Mr. Harris of Covent Garden, who also returned it, with to be sure, a polite note, but still—rejecting him.—

Well, had I been made for fretting, this might have caused me to fret.—I did not, however: I got the manager's note, about 7 o'clock in the evening—I tied a cord about the hopeless tragedy—all condemned criminals are manacled you know—and I flung it into perpetual exile, into the bottom of a lumber box.—

Before I went to bed, I made the first arrangement for a new tragedy—Pliny's letters supplied me with the raw material—his anecdote of Damon and Pythias, gave me the idea to be wrought out.—The last refusal of my old play came to hand in the middle of December; I was then, and had been for some time engaged in compiling for a new poem; this employment I immediately set aside, and fell to work on Damon and Pythias.

It took me three weeks to study and design my subject, and collect the necessary local knowledge of the persons and of the scene of action, and, in five weeks after, I completed the first copy of the play which I then named 'The Test'.—In less than a fortnight after, I put the finish to it, and I have now the pleasure of announcing to you at home, who are so anxious about me, that I have received the strongest assurance of its being acted at Covent Garden immediately, or soon after Easter.—

I am slow to encourage, in you or myself, sanguine hope of success; but a presentiment which I cannot force from me, says that this play will do, and produce fame, and more tangible good.

It will have the aid of an actor, who in my mind, as well as in the estimation of all who have seen him, is of very first rate eminence—I mean Macready. *

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* Macready knew, from the first reading of the play, that it was exactly suited to his powers: and it possessed an equally great attraction for him in the fact, that no female character divided the interest of his part.

I should mention that to Mr. Sheil, I owe my introduction to the theatre, and he has kindly undertaken to bestow on me and my bantling, all the care and solicitude of a father.—He will assist in correcting and arranging for the stage; and this is valuable in the extreme, he being the most successful dramatist of the day.—

This object being so far accomplished, I have now turned again to compile for my poem, and as some of the scenery and localities which I propose to make use of, are situate in the immediate vicinity of Limerick, I intend, with God's help, to go down there on Thursday evening and remain for two months.—By that time I shall have made important progress in the poem —and—the fate of the play will have been decided.—

My dear dear mother will pray for me,—beg of her to have good hopes of me.—As to my venture,—whether the play lives or dies—tell her I will persevere, and if God blesses me with life and health—I will succeed at last."

The play here mentioned has been frequently called the joint composition of Banim and Sheil. In the preface to the original edition Banim states, that the play owed much to the generous aid of Mr. Sheil; but the aid consisted in that very important assistance to a young dramatist, an introduction and recommendation to a Manager. Sheil was a powerful friend at this period, in a case requiring such help as Banim needed. His own *Adelaide*, *Bellamira*, *Apostate*, and, above all, *Evadne*, had placed him high in the opinion of the stage authorities, and with his recommendation Banim was enabled to catch, and by his own genius to keep, the attention of the rulers of Covent Garden Theatre. Those who knew Sheil best are able to state, and do state, that he was at this time, as at all others, a fast and steady supporter of those who possessed the claim of merit, or friendship, upon his services, and good offices.*

* For a Memoir of Sheil see IRISH QUARTERLY REVIEW., Vol. I. No. III. p. 375. Why is not Sheil's Biography written? There are many men capable of the work of composition who knew him intimately, and it would prove, if fairly, and *entirely* written, a most interesting contribution to Irish Biography, and would be a valuable addition to our *Mémoires pour Servir*. We have heard that Mr. Torrens M'Cullagh contemplates such a life of Sheil; should this be true we may possibly possess a work worthy of the subject—any thing may be accomplished in Ireland to honor the dead, excepting always a public monument or statue, as we find proved by the neglect of those contemplated and collected for, to O'Connell, Thomas Davis, Archbishop Murray, and even MOORE.

Damon and Pythias was produced at Covent Garden Theatre, on the 28th day of May, 1821, the author being in his twenty-fourth year. It was performed at a time when the public taste was somewhat improved, and when the noble language of great Shakspere was introduced once more upon the stage, excluding the alterations of Tate, and, as Charles Knight has it, "the joinery of Cibber." Our fellow-countryman Macready was, at that time, as in later years, the reformer of the stage; and not two months before the representation of *Damon and Pythias*, he had, at Covent Garden, played *Richard*, with "the original character and language of Shakspere," to the *Richmond* of Abbott, Mrs. Bunn being the *Queen Margaret*, and Mrs. Vining the *Lady Anne*. These were rather favorable times in which to produce so grave and classical a drama as Banim's; yet he had great difficulties to surmount, and the dangers of depreciation by comparison were imminent. His play was performed on the 28th of May, but on the 9th *Romeo and Juliet* was played; on the 11th *The Provoked Husband*; on the 15th *The Tempest*, with Macready for *Prospero*, Abbott for *Ferdinand*, William Farren for *Stephano*, Miss Foote for *Ariel*, and Miss Hallande for *Miranda*, were represented; and the latter was repeated on the 22nd. *Damon and Pythias*, therefore, was not a tragedy bursting upon the town at a time when the playgoers were easily overawed by the high sounding name of *Tragedy*, and our young author was to depend for success upon the real merit of his work.

The cast of the play was as follows:—

Damon, ...	Macready;
Pythias, (in love with *Calanthe*,)	Charles Kemble;
Dionysius, ...	Abbott;
Damocles, ...	Egerton;
Nicias, (father to *Pythias*,)	Chapman;
Calanthe, (in love with *Pythias*,)	Miss Dance;
Hermione, ...	Miss Foote;
Arria, ...	Mrs. Conner;
Damon's Son, ...	Master Morris;
Philistias, ...	Mr. Jefferies;
Procles, ...	Mr. Comer;
Lucullus, (*Damon's* Freed Man)	Mr. Conner.

The story on which the plot is founded, is, as Banim informed his father in the letter last above given, in Pliny.

In Dodsley's *Old Plays* there is, however, a play entitled *Damon and Pythias*, which Banim may have seen. The only material alteration from either play or story in the tragedy is, that Banim's *Damon* has only six hours given him in which he is to visit, and bid a last farewell to his wife; in the play and story, one friend is permitted to depart for six months, the other friend remaining as a hostage. *Damon and Pythias* was performed seven times during the remainder of the season, which closed on the 7th of August.

This tragedy is quite neglected on the London Stage, but it is occasionally performed in our Theatre Royal, and supported, as it has been, by Mr. King and Mrs. Hudson Kirby, those who witnessed the representations can judge very correctly of its merits as an acting drama. Its original success as a stage piece was due to Sheil's advice, who kindly prepared it for Green Room critics, and through his judicious management Banim was little vexed by those clippings and manglings which so agonizingly tortured the soul of *Mr Puff*, when he discovered that *Tilburina's* "first meeting with Don Whiskerandos—his gallant behaviour in the sea fight—and the simile of the canary-bird," had been cut out.

To many of our readers the tragedy and its plot must be quite as little known as *The Celt's Paradise*; it is as follows:—

The Senate of Syracuse chooses as its President, *Philistius*, a tool of *Dionysius*, an ambitious soldier. *Dionysius* directs another of his creatures, *Procles*, to induce the populace, by divination, to name him ruler, and he succeeds. *Damocles*, another tool, urges *Dionysius* to revenge himself upon *Damon*, who is a friend to the old laws of Syracuse, and a foe of the Dictator, and as the soldiers return from storming and plundering the citadel, they encounter *Damon*, who, incited by a love of country, calls them "obstreperous traitors," and reproaches *Procles*, as—

> "Thou most contemptible and meanest tool,
> That ever tyrant used."

The soldiers are about to kill *Damon* for this bold speaking, when his friend, the warrior *Pythias*, rushes in and saves him, crying—

> *Pyth.* Back, on your lives!
> Cowards, damn'd, treacherous cowards, back I say!
> Do you know me? Look upon me: Do you know
> This honest sword I brandish? You have seen it
> Among the ranks of Carthage: would you now

Taste its shrewd coldness in your quaking selves!
Back! back! I say. He hath his armour on—
I am his sword, shield, helm; I but enclose
Myself, and my own heart, and heart's blood, when
I thus encompass him—
Damon. False-hearted cravens!
We are but two—my Pythias, my halved heart!—
My Pythias, and myself; but dare come on
Ye hirelings of a tyrant! dare advance
A foot, or raise an arm, or bend a brow,
And ye shall learn what two such arms can do
Amongst a thousand of ye.—My good friend,
The gods have sent thee to me—Who had deem'd
To find thee here from Agrigentum? [*Soldiers advance.*
Pyth. Off!
Off, villains, off!—Each for the other thus,
And in that other, for his dearer self.
Why, Procles, art thou not ashamed,—for I
Have seen thee do good work in battle time—
Art not ashamed, here on a single man
To rush in coward numbers? Fie upon thee!
I took thee for a soldier.
Pro. For thy sake,
Who art a warrior like ourselves, we spare him—
'Twas a good star of his that led thee hither
From Agrigentum, to lift up thine arm
In the defence of that long robe of peace
Wherein he wraps his stern philosophy.
Come, teach him better manners. Soldiers, on.

Pythias has come to Syracuse for the purpose of wedding *Calanthe*; he informs *Damon* of this circumstance, and it is agreed that he shall attend the nuptials of his friend.

The Senate debate as to the guilt of *Dionysius*, and the punishment to be inflicted for his attack on the citadel. The faction in the assembly devoted to the traitor's interests, declare that for his great services to the state on former occasions, he shall be pardoned; and proceeding yet more boldly it is proposed to the Senate, and agreed by them that he shall be King. *Dionysius* had surrounded the building with his most trusted soldiers; he knew that *Damon* would oppose his election, and this was to be the great day of his triumph. He had wrought out the triumph:—

"In all that biting bitterness of heart
Which clings, and gnaws, by inches, to its object,
More keen, because a first essay hath fail'd,
In shame and suffering, failed, thus have I sped
My work, in silence, on. It did become
A thought inwoven with my inmost being."

Damon had been his chiefest opponent in all his schemes, and against him were the most strict precautions taken. When the Senate are upon the point of decreeing that *Dionysius* shall be King, a noise is heard without the Senate-house, and *Damon*, having broken through the guards, rushes in and cries, referring to the proposed decree—

Damon. And all! are all content?
A nation's rights betray'd,
And all content! O slaves! O parricides!
O, by the brightest hope a just man has,
I blush to look around and call you men;
What! with your own free willing hands yield up
The ancient fabric of your constitution,
To be a garrison, a common barrack,
A common guard-house, and for common cut-throats!
What! will ye all combine to tie a stone
Each to each other's necks, and drown like dogs
Within the tide of time, and never float
To after ages, or at best, but float
A buoyant pestilence? Can ye but dig
Your own dark graves, creep into them, and die?
Third S. I have not sanction'd it.
Fourth S. Nor I.
Fifth S. Nor I.
Damon. O! thanks for these few voices! But alas!
How lonely do they sound! Do you not all
Start up at once, and cry out liberty?
Are you so bound in fetters of the mind,
That there you sit as if you were yourselves
Incorporate with the marble? Syracusans!——
But, no! I will not rail, nor chide, nor curse ye!
I will implore you, fellow-countrymen,
With blinded eyes, and weak and broken speech,
I will implore you—O! I am weak in words,—
But I could bring such advocates before you;—
Your father's sacred images; old men
That have been grandsires; women with their children,
Caught up in fear and hurry, in their arms—
And those old men should lift their shivering voices,
And palsied hands—and those affrighted mothers
Should hold their innocent infants forth, and ask,
Could you make slaves of them!

All these appeals are vain, the Senate kneel to the usurper, and salute him King. Enraged by this act, *Damon* runs upon him, attempts to stab him, is baffled in the deed, and is condemned to die. *Lucullus* flies to the Temple of Hymen, where the marriage of *Pythias* and *Calanthe* is being celebrated. He whispers in the bridegroom's ear the fate of his friend, and, pale with terror, *Pythias* abandons *Calanthe* even at the altar, and hastens to the rescue or assistance of *Damon*.

Damon had entreated that *Dionysius* would liberate him but for six hours, that he might bid his wife and child farewell; the entreaty was refused, but at the request of *Pythias*, and upon his offering to take the place of his friend, as a hostage for his return within the six hours, *Damon* is permitted to go forth; and it is agreed that if he return not before the expiration of the sixth hour, *Pythias* shall die. *Pythias* is chained and placed in the dungeon, and *Damon* hastens to his villa, accompanied by *Lucullus*. Whilst he is bidding adieu to his wife and child, *Lucullus* hoping to delay his return beyond the six hours prescribed, kills his horse. *Damon*, committing his wife and child to the care of the

gods, rushes forth from the house, eager to mount his steed, and hasten to release his friend from chains and prison. He cries :—

'Tis o'er, Lucullus—Bring thou forth my horse.
I have staid too long, Lucullus, and my speed
Must leave the winds behind me : By the gods,
The sun is rushing down the west !
Luc. My lord—
Dam. Why dost thou tremble ? Fetch the colour back
Into thy cheek, man, nor let thy weak knees
Knock on each other in their cowardice !
Time flies—be brief—go bring my horse to me !
Be thou as swift as speech, or as my heart is !
Luc. My Lord—
Damon. Why, slave, dost hear me ? bring him here !
My horse, I say ! The hour is past already
Whereon I bade old Neucles summon me.
Luc. My generous master, do not slay me !
Damon. Slave !
Art mad ? or dost thou mock me in the last
And fearfullest extremity ?—Yet you speak not ?
Luc. You were ever kind and merciful, nor yet
Commended me unto the cruel whip,
And I did love you for it !
Damon. Where's my horse ?
Luc. When I beheld the means of saving you,
I could not hold my hand—my heart was in it,
And in my heart, the hope of giving life
And liberty to Damon ; and——
Damon. Go on ! I am listening to thee !
Luc. And in the hope to save you, I slew your steed !
Damon. Almighty heavens !
Luc. Forgive me !
Damon. I am standing here to see if the great gods
Will with their lightning execute my prayer
Upon thee ! But thy punishment be mine !
I'll tear thee into pieces ! [*Seizes him.*
Luc. Spare me ! spare me !
I saved thy life—O do not thou take mine !
Damon. My friend ! my friend ! O that the word would kill thee !
Pythias is slain !—his blood is on my soul !
He cries, Where art thou, Damon ? Damon, where art thou ?
And Damon's here !—The axe is o'er his neck,—
And in his blood I'm deluged !
Luc. Spare me ! spare me !
Damon. A spirit cries, "Revenge and Sacrifice !"
I'll do it—I'll do it—Come !
Luc. Where should I go ?
Damon. To the eternal river of the dead !
The way is shorter than to Syracuse.—
'Tis only far as yonder yawning gulf—
I'll throw thee with one swing to Tartarus,
And follow after thee !—Nay, slave, no struggling !
Pythias is grown impatient ! His red ghost
Starts from the ground, and with a bloody hand
Waves to the precipice !
Luc. Have mercy !
Damon. Call for mercy on the furies—not on me !
[*Exit Damon dragging Lucullus with him.*

During the six hours, *Dionysius*, disguised, visits *Pythias* in his dungeon, and tells him that soldiers have been sent forward to stay the return of *Damon*, and endeavours to induce him to escape from the prison ; *Nicias*, the father of *Pythias*, and his own *Calanthe* are introduced, each imploring him to go forth, but he is firm to his trust in *Damon's* honor.

The following is the closing scene of the fifth, and concluding, act, and is extremely effective; the characters are *Calanthe, Dionysius, Pythias*:—

The gates of the prison are flung open, and PYTHIAS *is discovered.—He advances.*

Cal. Pythias!
Pyth. Calanthe here!—My poor fond girl!
Thou art the first to meet me here at the block,
Thou wilt be the last to leave me at the grave!
How strangely things go on in this bad world—
This was my wedding day: but for the bride,
I did not think of such a one as death!
I deemed I should have gone to sleep to-night,
This very night—not on the earth's cold lap,
But, with as soft a bosom for my pillow,
And with as true and fond a heart throb in it
To lull me to my slumber, as e'er yet
Couch'd the repose of love.—It was, indeed,
A blissful sleep to wish for!
Cal. O, my Pythias, he yet may come!
Pyth. Calanthe, no!—Remember
That Dionysius hath prevented it.
Cal. That was an idle tale of this old man,
And he may yet return.
Pyth. May yet return!
Speak!—how is this? return!—O life how strong
Thy love is in the hearts of dying men!
Thou art true he did'st say, the tyrant would prevent
His coming back to Syracuse.
Dion. I wrong'd him.
Pyth. Ha! were it possible!—may he yet come?
Cal. Into the sinews of the horse that bears him
Put swiftness, gods!—let him outrace and shame
The galloping of clouds upon the storm!
Blow breezes with him; lend every feeble aid
Unto his motion!—and thou, thrice-solid earth,
Forget thy immutable fixedness—become
Under his feet like flowing water, and
Hither flow with him!
Pyth. I have taken in
All the horizon's vast circumference
That in the glory of the setting sun
Opens its wide expanse, yet do I see
No signal of his coming!—Nay, 'tis likely—
O, no—he could not! It is impossible!
Cal. I say, he is false! he is a murderer!
He will not come! the traitor doth prefer
Life, ignominious, dastard life!—Thou minister
Of light, and measurer of eternity
In this great purpose, stay thy going down,
Great sun, behind the confines of the world!
On yonder purple mountains make thy stand!
For while thine eye is opened on mankind,
Hope will abide within thy blessed beams—
They dare not do the murder in thy presence!
Alas! all heedless of thy frantic cry,
He plunges down the precipice of Heaven!
Pythias—O, Pythias!
Pyth. I could have borne to die,
Unmoved by Dionysius—but to be torn
Green from existence by the friend I loved—
Thus from the blossoming and beauteous tree
Rent by the treachery of him I trusted!
No! no! I wrong thee, Damon, by that half thought—
Shame on the foul suspicion! he hath a wife,
And child, who cannot live on earth without him,
And Heaven has flung some obstacle in his way
To keep him back, and lets me die who am
Less worthy, and the fitter.
Pro. Pythias, advance!

Cal. No, no! why should he yet? It is not yet—
By all the gods, there are two minutes only!
Pro. Take a last farewell of your mistress, sir,
And look your last upon the setting sun—
And do both quickly, for your hour comes on!
Pyth. Come here, Calanthe! closer to me, yet!—
Ah! what a cold transition it will be
From this warm touch all full of life and beauty,
Unto the clammy mould of the deep grave!
I pr'ythee, my Calanthe, when I am gone,
If thou should'st e'er behold my hapless friend,
Do not upbraid him! This, my lovely one,
Is my last wish—Remember it!
Cal. Hush! hush! Stand back there!
Pyth. Take her, you eternal gods,
Out of my arms into your own!—Befriend her!
And let life glide on in gentleness,
For she is gentle and doth merit it.
Cal. I think I see it——
Pro. Lead her from the scaffold!
Pyth. Arria, receive her!—yet one kiss—farewell!
Thrice—thrice—farewell! I am ready, sir.
Cal. Forbear!
There is a minute left—look there! look there!
But 'tis so far off, and the evening shades
Thicken so fast, there are no other eyes
But mine can catch it—Yet, 'tis there! I see it—
A shape as yet so vague and questionable
'Tis nothing, just about to change and take
The faintest form of something!
Pyth. Sweetest love!
Damo. Your duty, officer.
Cal. I will not quit him
Until ye prove I see it not!—no force
Till then shall separate us.
Damo. Tear them asunder!
Arria, conduct your daughter to her home
Cal. O, send me not away—Pythias, thine arms—
Stretch out thine arms, and keep me!—see, it comes!
Barbarians!—Murderers!—O, yet a moment—
Yet but one pulse—one heave of breath! O, Heavens!
[*She swoons, and is carried away by Arria and Guards.*]
Pyth. [*To the Executioner.*]
There is no pang in thy deep wedge of steel
After that parting.—Nay, sir, you may spare
Yourself the pains to fit me for the block.
Damon, I do forgive thee!—I but ask
Some tears unto my ashes!
[*A distant shout heard—Pythias leaps upon the Scaffold.*]
By the gods,
A horse, and horseman!—Far upon the hill
They wave their hats, and he returns it—yet
I know him not—his horse is at the stretch.
Why should they shout as he comes on? It is——
No!—that was too unlike—but there, now—there!
O, life, I scarcely dare to wish for thee,
And yet—that jutting rock has hid him from me—
No!—let it not be Damon!—he has a wife
And child!—gods! keep him back!
Damon. Where is he?
[*He rushes in, and stands for a moment looking round.*]
Ha! He is alive! untouched! [*Laughing hysterically.*]
Ha! ha! ha!
[*Falls upon the Scaffold.*]
Pyth. The gods do know I could have died for him!
And yet I dared to doubt!—I dared to breathe
The half-utter'd blasphemy!
He faints!—How thick
This wreath of burning moisture on his brow!
His face is black with toil, his swelling bulk
Heaves with swift pantings—Damon, my dear friend!
Damon. Where am I? Have I fallen from my horse
That I am stunn'd, and on my head I feel

A weight of thickening blood! What has befallen me
The horrible confusion of a dream
Is yet upon my sight.—For mercy's sake,
Stay me not back—he is about to die!
Pythias, my friend!—Unloose me, villains, or
You will find the might of madness in mine arm!
[*Seeing Pythias.*] Speak to me, let me hear thy voice!
Pyth. My friend!
Damon. It pierced my brain, and rush'd into my heart!
There's lightning in it!—That's the scaffold—there
The block—the axe—the executioner!—
And here he lives!—I have him in my soul!
[*Embracing Pythias*] Ha! ha! ha!
Pyth. Damon!
Damon. Ha! ha!
I can but laugh!—I cannot speak to thee!
I can but play the maniac, and laugh!
Thy hand!—O, let me grasp thy manly hand!—
It is an honest one, and so is mine!
They are fit to clasp each other!—Ha! ha! ha!
Pyth. Would that my death could have preserved thee!
Damon. Pythias,
Even in the very crisis to have come,—
To have hit the very forehead of old time!
By heavens! had I arrived an hour before
I should not feel this agony of joy,—
This triumph over Dionysius!
Ha! ha!—But did'st thou doubt me? Come, thou did'st—
Own it, and I'll forgive.
Pyth. For a moment.
Damon. O that false slave!—Pythias, he slew my horse,
In the base thought to save me!—I would have kill'd him
And to a precipice was dragging him,
When from the very brink of the abyss
I did behold a traveller afar,
Bestriding a good steed—I rush'd upon him,
Choking with desperation, and yet loud
In shrieking anguish, I commanded him
Down from his saddle; he denied me—but
Would I then be denied? As hungry tigers
Clutch their poor prey, I sprung upon his throat.
Thus, thus I had him, Pythias. Come, your horse,
Your horse, your horse, I cried. Ha! ha! ha!
Dion. Damon!
Damon. I am here upon the scaffold! look at me;
I am standing on my throne; as proud a one
As yon illumined mountain, where the sun
Makes his last stand; let him look on me too;
He never did behold a spectacle
More full of natural glory. Death is—Ha!
All Syracuse starts up upon her hills,
And lifts her hundred thousand hands! She shouts!
Hark, how she shouts! O! Dionysius,
When wer't thou in thy life hail'd with a peal
Of hearts and hands like that one? Shout again!
Again, until the mountains echo you,
And the great sea joins in that mighty voice,
And old Enceladus, the Son of Earth,
Stirs in his mighty caverns! Tell me, slaves,
Where is your tyrant? Let me see him now;
Why stands he hence aloof? Where is your master?
What is become of Dionysius?
I would behold, and laugh at him! [*Dionysius advances between Damon and Pythias, and throws off his disguise.*
Dion. Behold me!
Damon and Pyth. How!
Dion. Stay your admiration for awhile,
Till I have spoken my commandment here.—
Go, Damocles, and bid a herald cry
Wide through the city, from the eastern gate
Unto the most remote extremity,
That Dionysius, tyrant as he is,
Gives back his life to Damon!

The parting scene between *Damon* and his wife, *Hermione*, and his child, are exquisitely wrought up, and have ever told upon even the most fastidious audiences: the power is not alone that of situation, the language is poetical, and in no point strained or affected. The scenes between the lovers, *Pythias* and *Calanthe*, are very poetical, and marked by that intensity of passion, so powerfully employed in *The Fetches*, and in *The Nowlans*. The following passages may be placed beside *Claude Melnotte's* description of the imaginary "vale," to which he would convey his mistress. Could Bulwer Lytton have had this half forgotten tragedy in mind when writing *The Lady of Lyons?*—

A Chamber in Arria's House.

Enter PYTHIAS *and* CALANTHE.

Pyth. So, my Calanthe, you would waste the moon of Hymen in this lonely spot?
Cal. In sooth
I would, for 'tis the fairest place in Sicily:
A dell, made of green beauty; with its shrubs
Of aromatic sweetness, growing up
The rugged mountain's sides, as cunningly
As the nice structure of a little nest,
Built by two loving nightingales. The wind,
That comes there, full of rudeness from the sea,
Is lull'd into a balmy breath of peace,
The moment that it enters; and 'tis said
By our Sicilian shepherds, that their songs
Have in this place a wilder melody.
The mountains all about it are the haunts
Of many a fine romantic memory!
High towers old Ætna, with his feet deep clad
In the green sandals of the freshful spring:
His sides array'd in winter, and his front
Shooting aloft the everlasting flame.
On the right hand is that great cave, in which
Huge Polyphemus dwelt, between whose vast
Colossal limbs the artful Grecian stole.
On the other side,
Is Galatea's dainty dressing-room
Wrought in the living marble; and within
Is seen the fountain where she used to twine
The ringlets on her neck that did ensnare
The melancholy Cyclop.—But what care you,
A soldier, for such fantasies? I know
A way that better shall persuade you to
That place for our sweet marriage residence—
There Damon hath his villa—Ha! you seem
Determined by the fast proximity
Of such a friendship, more than all my love.
Pyth. Does Damon dwell there?
Cal. No; his Hermione
And his young boy—O! 'tis a beauteous child!—
Are sent there from the city's noxious air,
And he doth visit them, whene'er the state
Gives him brief respite. Tell me, Pythias,
Shall we not see the Hymeneal moon
Glide through the blue heavens there?
Pyth. My own adored one,
If thou should'st bid me sail away with thee,
To seek the isles of the Hesperides,
I would, with such a pilot, spread my sail
Beyond the trophies of great Hercules,
Making thine eyes my Cynosure!

The success of the tragedy was the crowning glory of Banim's hopes at this period. All the London papers were unanimous in its praise, and referring to his fire-work and other boyish failures, and slyly retorting his brother Michael's cautions, he wrote, to the latter, announcing his success—"at length, my dear Michael, one of my *sky-rockets* has gone off."

Macready and Charles Kemble played most gloriously; it was precisely the style of tragedy most approved by Macready—it possessed that isolation for himself which rendered Richelieu so marked a favorite with him, and not less so with the audiences; besides, *Damon and Pythias* had no rôle sufficiently prominent to detract from the interest which this great actor desired his own character should possess. Indeed the only performer who failed in the representation of the tragedy was Miss Dance, who entirely misunderstood the conception of *Calanthe*.

Always desirous that the dear ones at home should rejoice and share in the pleasures of his success, Banim thus wrote to his father, and the true hearted trust in the toil of the future, and the purest resolve to pay the few, but, to him great, debts incurred in the wild days, are worthy of notice:—

"*Limerick, June 3rd*, 1821.

My dear Father,

If the papers have not already informed you of the fact, this letter goes to tell you, that at length, thanks to God, a trump has turned up for me.—The play has been successful.—I have got Mr. Sheil's letter, giving Macready's account.—I have also read the Courier, Globe, and Morning Chronicle.—There is no doubt of my success, so again, I am a free man, my debts paid to the last farthing, and I am in possession, once more, of my seat by the old fireside, with my health better than ever it was to fit me for working on.

The moment I receive even part of the proceeds, I will fly to Kilkenny; that, however, may be some weeks.—Joanna is to weave a laurel crown for me; my poor mother shall place it on my brow, and we shall be as happy as happy can be."

This letter it will be perceived was written from Limerick. He had gone there for the purpose of making arrangements for a regular series of articles to be contributed to *The Limerick Evening Post*, and, as has been already stated, to gather local knowledge. Whilst staying in Limerick, and visiting the remark-

able and interesting localities of the city, Banim first discovered that the stirring era of the Great Revolution, and the position of Ireland at that period, were romantic and exciting in all the glowing colors of that greatest of romances—historic fact; and many of the incidents afterwards introduced in his novel *The Boyne Water* were suggested by local association, and treasured in his never failing memory. Having arranged his business in Limerick, Banim returned to Dublin.

Upon arriving in town he found every party and grade of citizens in anxious expectation of the proposed visit of George the Fourth to Ireland. As all know, the King did then pay a visit to this country, remembered only as having incited Byron to compose *The Irish Avatar*, and by the erection of an unmeaning granite pillar at Kingstown. Banim, after the departure of the King for England, in September, 1821, went, late in the same month, to rejoin the dear friends at home; and his first act was to pay, from the money received for *Damon and Pythias*, the sums due to the creditors of former days.

This reunion was a happy one; he did not, whilst revisiting old scenes, and reviving old memories—some sad and dreary—neglect the duties of his self selected profession. Although devoted to literature, he still desired to see the arts supported and encouraged. With all literary men who have abandoned the pencil for the pen, like Hazlitt, and Hood, and Lover, he was ever ready in assisting to secure the interests of his old associates, and of their profession. When Banim found that the people of Ireland were about to erect a testimonial to commemorate the Royal Visit, (and this project, as all our projects of the same kind, ended but in failure,) he thought that the time was suitable for introducing to the public attention the requirements of Art in Ireland.

Accordingly, whilst still in Kilkenny, he commenced the composition of a letter which he completed before his return to Dublin. It was published in the month of January, 1822, by Milliken. It is in pamphlet shape, and extends to thirty-two pages. The title-page is the following: "A Letter to the Committee Appointed to Appropriate a Fund for a National Testimonial, Commemorative of His Majesty's First Visit to Ireland. By John Banim, Esq;" and the letter is dedicated —"To Those of Every Class who have Contributed Any Sum Towards the Erection of A National Testimonial, Commemorative of His Majesty's First Visit To Ireland."

He commences by recounting the various plans proposed, and after showing that all professions, and all bodies in the city possess appropriate buildings in which to assemble, that all professions— save one—are enabled to claim some particular place of meeting as their own, for all their peculiar uses and purposes, he demands—"Where is your Temple of Art? Where is your Louvre or Somerset House?" He then instances the support given to Art by the great statesmen and rulers of other nations; but, assuming that it may be contended that in this country the professions of painting and sculpture are not of sufficient importance to justify the serious contemplation of an outlay of the fund collected, in erecting an Irish National Gallery and School of Art, he writes, referring to the great men who have been the patrons of Art, thus:—

"With the theorist who may think the immortal names we have glanced at were or are wrong in their large and national estimation of art; with the political huxter who picks his steps through every path of cultivated pursuit, leaning on Adam Smith as on a walking-stick; with him, to whose stunted apprehension this spacious and flowery world is but a sales-market or a compting-house, and mind and talent, in all their varied impulses and uncontrollable tendencies, predoomed exclusively to buy and sell, and barter and calculate;—with him to whose taste the pounds, shillings, and pence of a nation are the most glorious acquirements of a nation, and who is well prepared to run us up and down the politico-economical gamut on every note and key of 'increase and of supply,' 'demand and market,'— with such a theorist we have another appeal. If individuals of the order we have mentioned be wrong, let us ascertain the sense of the past and present civilized world on the importance of the Arts, generally.

Egypt is a wilderness. We only remember that she was. But of our recollections of her old name, which is the most lively—the most interesting? which most arouses our sympathy, commands our respect, our veneration? Is it our recollection of her wealth, her gaudiness, her arms, her commerce?—No: it is her mind, and not her wealth; her philosophy, and not her arms; her arts, and not her commerce, which we remember with vivacity, which we admire, respect, emulate. We explore her waste places for one atom of her art; if found, we cherish it as a Saint's relic or a parent's memento, and we point to it and say, 'This is a part of Egypt.'

Her foster-child, Greece—old Greece, has left us a greater variety of models for admiration. Her laws, her arms, her poets, orators, heroes, either were more distinguished, or history has better defined and transmitted them to us. They invite our attention equally with her arts—but only equally. With her Lycurgus, her Homer, her Leonidas, we rank her Phidias, her Praxiteles, her Appelles; and while we burn at the recollection of her Marathon and

Thermopyle, we glow with as pure an ardour over the historical memory of her pictured Thunderer, or in the actual presence of her Farnese and Apollo. In Greece, a painter* was allowed to assume the regal purple and golden crown. In Greece, painters and statuaries were eligible to the highest offices of the state. † In Greece, it was the law that none but men of noble birth should profess the Art. ‡ Pamphilus, the master of Apelles, was a statesman and a philosopher as well as an artist. By his influence the elementary principles of the Art were taught in the public schools of Greece, and its acquirement associated with a liberal education.§ When Emilius, after subduing all Macedonia, demanded of the Athenians their most renowned philosopher to educate his children, and their best painter to superintend the ornaments for his triumph, the Athenians sent Metrodorus to the Roman General, telling him, they had provided in one person all he had required of two. ‖ Metrodorus was an artist.

From the political structure of ancient Rome, we must not expect much practical excellence in the Art. But that which the Romans either did not or could not rival, they knew how to admire and appreciate. Quinctilian, Pliny, Tacitus, are often the historians or eulogists of ancient Art; and Cicero himself plucks from the garland of the graphic muse some of his sweetest flowers of exemplification.

The Augustan age of Britain does not present a character which stands more boldly forward than that of Reynolds. Those who do, and those who do not, understand his excellence, concur in estimating it as a high national honor and ornament. The more than Augustin age of Britain—her present age, displays a galaxy of talent, as variously as it is consummately excellent. With the senate, the field, the cabinet—with science, philosophy, poetry, great and immortal names are connected. Yet, against any of them, the names of West and Lawrence may be fearlessly arrayed. They stand as high as any in national estimation. They are as often appealed to as evidence of national character. They are as much the boast of their country. Their fame is as widely diffused through polite nations. They are parallels to Britain's proudest names, and can be produced to the same extent.

During thirty years, the profession of arms would seem to have been the only one pursued with enthusiasm in France, yet her Arts were not forgotten. In the hot career of her unrivalled success, elated and laurelled with triumph, France could pause, and hold out to Art the hand of patronage and protection. The genius of victory,

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* Appelles.

† Vide *Moore—F. Junius de pictura veterum.*

‡ Pliny. § Pliny.

‖ Turnbull—Rise and Decline of Art in ancient Greece and modern Italy.

gathering up all her trophies, often came to the genius of Art, and sued for her graphic immortality. Denon, David, Le Fever, Le Theyre, were or are cotemporaneous with every era of thirty years of political convulsion in France;—bright names, like brtght stars, have risen around them in the national horizen, yet theirs have not been eclipsed.

Italy has, at present, no name, no character, but that which her Arts reflect upon her. It is the only current which keeps her floating up to the level of nations. Italy, that was the war-school of the world—whose thought was intelligence—whose tongue was oratory—whose breath was patriotism—whose sword was victory—Italy is a province—an abject, trampled province. Her Tully, her Cato, her Scipio, her Augustus, her Brutus, are no more.—Italy has only her Canova."

We here close the Second Part of the Biography of John Banim. We have, in it, endeavoured to tell, through his own letters, the story of his life from his twentieth to his twenty-fourth year; and have shown his first struggles and successes in the hard profession to which he had devoted himself.

He was now warned by failure; he was honest and honorable in successes; and what the reader knows him to be now, he will find him to the end—earnest, true souled, not perfect—only a man. But a man in the noblest sense of that grandest word. A man who would pay the debts of folly; a man who would fear no pain, or labor, or want, or privation, in working out the bright, golden fame which he hoped to win by his own genius. "I KNOW NOT HOW LONG I COULD FAST; EVEN THAT I MAY BE CALLED ON TO TRY." So he wrote to Michael—could a heart like this fail?—and mark he wrote it hopefully, above all, daringly and not heedlessly—for this follows—"I HAVE BEEN THE BEST PART OF TWO DAYS WITHOUT TASTING FOOD OF LATE, OFTEN HAVE I GONE TO WHISTLE FOR MY DINNER; AND ONCE I WALKED ABOUT THE TOWN ALL NIGHT FOR THE WANT OF A BED." This was the man to succeed—he never feared the world, he never doubted, because he had proved himself; he knew the thought which has been so graphically expressed by Archdeacon Hare in the *Guesses At Truth*—"Half the failures in life arise from pulling in one's horse as he is leaping." All these things will be clear and plain when we come, as we shall next, to write of Banim's marriage, and of his early struggles and literary successes in the great city, towards which all his aspirations had long tended; and now, more strongly than ever, his soul was, as Tennyson sings—

"Yearning for the large excitement that the coming years would yield,
Eager-hearted as a boy when first he leaves his father's field.
And at night along the dusky highway near and nearer drawn,
Sees in heaven the light of London flaring like a dreary dawn;
And his spirit leaped within him to be gone before him then,
Underneath the light he looked at, in among the throngs of men."

"Among the throngs of men" he fought and struggled to his object, as we all fight and strive, but he came forth a victor, with fewer stains of selfishness, and with richer store of goodness, and of manly feeling, than most of those who have toiled, amidst wants and sorrows, can possess. And as time passed by, when years of pain had worn out the poor racked and broken body, the heart was as of old, and the grief-wearied man of 1842 was unchanged from that blithe John Banim, so full of hope and joy, who wrote, in 1821, so gaily—"At length, my dear Michael, one of my sky-rockets has gone off."

And so the life of the literary man of our day was entered upon. To Banim, as to all others, it was the cold, stern enchantress, the demon Mistress, that wins men's love, and then claims health, and energy, and buoyant youth's bright blooming hours, as smallest duties offered in her worship—and thus Banim, and Laman Blanchard, and Thomas Hood, have each been types of this class, and to each we may apply these lines of Charles Mackey :—

"'Mid his writing,
And inditing,
Death had beckoned him away,
Ere the sentence he had planned
Found completion at his hand."

Art. IV. PRISONS AND PRISON DISCIPLINE, PAST AND PRESENT.

1. *Chapters on Prisons and Prisoners.* By Joseph Kingsmill, M. A. Chaplain of Pentonville Prison, London. Third Edition. London: Longman and Co. 1854.
2. *Prison Discipline; and the Advantages of the Separate System of Imprisonment, With a Detailed Account of the Discipline now Pursued in the New County Gaol at Reading.* By the Rev. J. Field, M.A. Chaplain, 2 vols. London: Longman and Co. 1848.
3. *Charge Delivered by Matthew Davenport Hill, Recorder of Birmingham, to the Grand Jury of that Borough, on the 20th of October,* 1853, *at the Michaelmas Quarter Sessions of the Peace,* London: Longman and Co. 1853.
4. *Chaplain's Twenty-ninth Report, on the Preston House of Correction.* Presented to the Magistrates of Lancashire, 1853. London: Whittaker and Co. 1853.
5. *Account of the Public Prison of Valencia, With Observations.* By Captain Maconochie, R.N., K.H. London: Charles Gilpin. 1852.

War, viewed in its most favourable light and under the most auspicious circumstances, is beyond all doubt a national disaster. The vast expenditure of public resources, increased taxation, interruption of trade, and loss of life, are among the serious evils it entails upon a country; while the attention of the public and the legislature being almost exclusively devoted to its management and progress, reforms demanded by feelings of humanity and the well being of society, are in consequence postponed or laid aside. We are far from desiring under present circumstances, to unduly press upon the attention of the public, matters of social importance. Engaged, as we are, in war with an empire, whose vast extent and physical resources have constituted her one of the most powerful nations in Europe, and whose unrighteous ambition and unparralled despotism, demands severe and condign punishment; a war essentially just in the objects at which it aims, entered upon after the most patient endeavours to secure a continuance of

the blessings of peace; a war of right against might, of civilization against barbarism, of liberty against oppression; it is our *duty* to throw our undivided energies into the contest, and obtain as speedly as possible, an equitable and lasting peace. But it must, at the same time, be a source of regret to all well thinking men, to all who have the social amelioration of their race at heart, to feel, that the cause of civilization and the moral improvement of the classes, must receive, even, a temporary check; that social progress and reforms must for the time be abandoned, and the benefits derivable therefrom, postponed, perhaps for years to come. In a country however like ours, where so much active philanthropy prevails, where so many noble societies exist, formed for the purpose of improving the condition of the poor, and extending the blessing of true and genuine religion, to the abodes of squalor and vice; and who devote, as they have done, and will still continue to do, their best energies towards the objects they have in view; it is difficult to conclude, that the cause of the "poor and perishing classes" of our fellow country men, will be forgotten, or permitted to fall into neglect. Nor need the period which elapses in the interval be lost, it affords an opportunity to gather information, to collect facts, and quietly to digest schemes of relief and social improvement, so that, when the time for action arrives, they may be safely carried into execution, without danger of that ill success, which is sure to attend a hasty change, and materially injures the cause of reform in the minds of many, whose sympathies it would be desirable to enlist.

It is with this object, in connection with papers which have already appeared in the pages of this *Review*, we would desire to direct the attention of our readers, to that very important branch of our social economy—the treatment of our criminal population; and to discuss the means best adapted for the reformation of the criminals themselves, and the gradual healing of that deep seated gangrene which corrupts and preys upon the life blood of the commonwealth. It is impossible to overate or exaggerate the importance of this subject. It forms one of the great, if not *the* great, social problem of the day—By what means can we diminish crime, how stay the desolating flood of ignorance and vice? Aye, that *is* the question—If we reflect for a moment, and compare the present with the past, we are almost startled by the rapid advance, made within the last few years, in all the sources of our material prosperity.

New mines of golden treasure have been discovered, and fears are even entertained, lest the precious metals should become a drug; science continues to advance and illumine the mysterious secrets of boundless space; electricity and magnetism have been domesticated; commerce has opened up new countries, supplied new luxuries and created new wants, and the productions of the earth are daily applied to uses heretofore unknown. But nevertheless, crime, and squalor, and vice, and want, and ignorance, and distress, still continue to exist; * and we are forced to admit, that however lavishly science and progress may have bestowed their choicest favours upon the rich, they have sadly slighted the necessities of the poor. Can then nothing be done; shall we quietly enjoy the advantages we possess, regard with indifference the calamities of others, and permit this "worm in the bud" to exist in the heart of our social system! Assuredly not, if it be in our power to prevent it. It is a duty we owe to ourselves, our children, and our common

* Number of Persons charged with offences at Quarter Sessions and Assizes, from 1848 to 1852:—

Division.	1848.	1849.	1850.	1851.	1852.	Average	Population in 1851.
England & Wales.	30,349	27,816	26,813	27,960	27,510	28,089	17,922,768
Ireland.	38,522	41,980	31,326	24,684	17,678	30,838	6,515,794
Scotland.	NoReturn	4,357	4,468	4,001	4,027	4,209	2,870,784

Total Population.	Average of Five Years.	Proportion to Population about
27,309,346	63,136	1 in 624

Table shewing the number of offences sent for trial at Quarter Sessions and Assizes, summary convictions and petty offences, in Ireland, for the years 1850, 1851 and 1852:

Year.	Summary convictions and petty offences.	Cases at Quarter Sessions & Assize.	Total.	Proportion to Population.
1850	78,740	31,326	110,066	1 in 453
1851	84,636	24,684	109,920	1 in 477
1852	78,719	17,678	96,397	1 in 626

If to the 63,000 persons annually charged with offences at Assizes and Quarter Sessions, we add the number summarily convicted, and those also who may not have been made amenable to Justice, we may fairly take the amount of our criminal population to exceed *half a million*. The decrease of crime in Ireland is very remarkable.

country, to provide, as far as the means within our power enable us, with our purses, our talents, and our energies, for the reformation of our criminal population; to remove the temptations which want and distress supply; to take away by sound education, the hindrances which oppose the free exercise and promptings of that conscience which is implanted in us all; to repeal those laws which create offences; and to promote a competition for virtue among the neglected classes of society—But there are still higher, and still nobler incentives, to urge us onwards in the cause of reform, than those suggested by an anxiety for the well being of the State; viz. the eternal interests of thousands,* and that desire, which arises from a feeling of gratitude excited by the love bestowed upon us, to make known the blessings of the gospel and its healing truths. Let the reader reflect but for a moment, on the moral condition of that almost countless throng, of men, women and children educated in crime, persons who, perhaps, have grown up from infancy to manhood without the means of knowledge or religious education, deprived perhaps of the *opportunities*, we more highly favoured have enjoyed; let the reader reflect, and a feeling of pity and responsibility must surely awaken in his heart, if he values the blessings he has himself received, and acknowledges the debt he owes to Him, "who is rich in mercy, for his great love wherewith he loved us, even when we were dead in sin, and were by nature children of wrath even as others, made himself of no reputation, and took upon him the form of a servant, and was made sin for us who knew no sin, that we might be made the righteousness of God in him."† Can we then view our criminals with other feelings then those of pity; can we forget our own sinful nature, our own worthlessness in the estimation of Him who is of "purer eyes than to behold evil;"‡ can we call to mind the answer of our Lord to the accusers of the woman taken in adultery, "he who is without sin among you

* It has been computed that in London above 12,000 children are trained in crime, 3000 are receivers of stolen goods, 4000 are annually committed for crimes, 10,000 are addicted to gambling, 20,000 to begging, 30,000 live by theft and fraud, 23,000 are found helplessly drunk in the streets, 150,000 are habitual gin drinkers, and 150,000 live in systematic prostitution and profligacy"—*Law Mag. Vol.* x. *N.S. p.* 247.

† Eph. ii. 4, 3. Phil. ii. 7. 2 Cor. v, 21.

‡ Habakkuk, i. 13. John, viii. 7. Rom. v. 8.

let him first cast a stone at her," and remember the effect produced upon their consciences, when we read that "they went out one by one, beginning at the eldest even unto the last," without acknowledging that we are their fellow criminals, and that a "real Christian is himself a pardoned convict, for God commendeth his love towards us, in that while we were yet sinners Christ died for us :"

"When we are considering the claims of such individuals upon our pity," to use the language of the Bishop of St David's, preaching on behalf of the Philanthrophic Society, "we can only look upon them as our fellow creatures; as partaking of our common nature, with all its frailty and corruption, and with all its dignity, its high destinies, and boundless prospects; but placed, by the inscrutable dispensations of Providence, in a situation widely different from ours, and when we reflect on the disadvantages to which they have been subjected, and on the privileges which we have enjoyed, can we help asking ourselves, whether the vast difference between our lot and theirs has been owing, either to their fault or to our merit? but when the difference of circumstances affects the interests, not merely of time, but of eternity: when the health and safety of the soul, and its final doom, the means of grace and the hopes of glory are at stake—then, to be distinguished by peculiar advantages, to abound while others want, is indeed a high and precious privilege: but it is, likewise, a most mysterious and awful one, and, to a well disposed mind, it would be almost an insupportable burden, unless it were accompanied by the consciousness of an endeavour to make a right use of it, and of a wish to communicate it, as far as possible, to others."*

Who, writes Mr. Kingsmill, "who is that wretched man in yonder felon cell? or that twice fallen woman in her prison dress? Once they were children, blithe and merry, their father's pride and their mother's joy. They grew up, and were for a while virtuous, and they were happy and free. Oh! how sadly altered now! who are they. That man is thy brother; that woman thy sister. Oh! act as a brother towards them." †

It is with such views, and animated by such principles, we would apply ourselves to the task.

The old and erroneous idea that punishment should be inflicted by the state as a retaliation for the commision of a crime —"an eye for an eye and a tooth for a tooth"—rather than for the moral benefit and improvement of the criminal himself, has yielded to higher principles, and we may safely say is no longer entertained, either by those entrusted with the adminis-

* Kingsmill p. 21. † Page 312.

tration of the Law, or the care and management of our gaols. The criminal is now taught to regard the discipline to which he is subjected, as the mode best adapted for reclaiming from sin, those who have fallen from the path of virtue; not for the mere purpose of inflicting pain and loss of liberty: the prisoner who looks upon the punishment he suffers in the light of a retaliation inflicted by the state for the violation of its laws, and this is of course the view generally adopted by criminals, and leaves his gaol uninstructed in the true object for which punishment is inflicted, enters again into society with his worst passions roused to hostility, places himself in antagonism to society, instead of in harmony with its interests, and learns to regard his fellow citizens as the just and legitimate prey for his future depredations; he becomes a missionary of evil, he spreads, systematically, moral contagion among those as yet unstained with guilt, perpetuating vice and re-producing crime.

It is hardly necessary to state our belief, that mere secular education, the mere knowledge of reading writing and arithmetic, is wholly valueless, taken by itself, for reforming the criminal; and further, we believe that the mere formal observance of religious duties is equally valueless: the convict may attend morning and evening prayers from week's end to week's end, he may partake of the administration of the sacrament every Sunday in the year, he may listen to sermon after sermon and lecture after lecture, and yet the heart may remain untouched; and dissimulation, that studied accomplishment of the criminal, may enjoy its silent victory—But mark the result. He leaves his prison, but to return, like "the dog to his vomit, and the sow that was washed to her wallowing in the mire." The formularies of Religion are of value and are prized by the true Christian alone, they can never make a man a Christian. How many chaplains are there, who overlook these plain truths; who are sedulous in observing the stated and appointed duties of their office, but who neglect the "one thing needful—" by frequent personal intercourse with the prisoner, and by faithfully and affectionately laying before him the Gospel of Christ, to awaken, through the instrumentality of God's inspired word, the slumbering and forgotten sentiments of gratitude and love. The politician, with some degree of exultation, points to statistical returns, and the difference which is shown by them to exist between the number of those convicted of crime, who can read and write, and who are unable to do so; as justifying the con-

clusion that mere secular education improves the morals, and is able to cope successfully with the advance of crime; extend, say they, the blessings of reading writing and arithmetic, and you will gain the desired end! No such thing—we do not stay to inquire, whether a state has the *right* to insist upon combining Bible instruction with secular education, in the case of those who by crime have forfeited their liberty; we agree with Macaulay, that if the state has a right to hang, it has a right to educate; but we deny, that the fact of less crime appearing to exist among those who read and write, proves the conclusion above referred to, to be correct; if it be meant, that the possession of this kind of knowledge is sufficent to deter men from committing offences against good morals or the established laws of their country. "Reading and writing" form but the *earmark* applied to distinguish the educated and uneducated classes in statistical tables; and we find by experience less crime among those who read and write, *because* the class so distinguished has in general acquired some education in religious principles; while, on the other hand, we find a greater proportion of crime to exist among those who neither read nor write, not because they are ignorant in this particular branch of knowledge, but *because* those who have not had the opportunity of receiving such instruction, have seldom possessed the advantage of a scriptural education.

To justify the conclusion so flippantly arrived at, it is necessary to show that the class who received an education in the mere elements of reading writing and arithmetic, had not received a *greater amount* of religious instruction than those who are officially described as ignorant and uneducated. It is not therefore, by teaching the classes to read and write *alone*, or in other words, giving them a secular education, (though we are far from asserting that this would be of no advantage) but, by combining with such instruction, education in the truths of revealed religion, that we can alone hope or expect to obtain a satisfactory result

Mr. Kingsmill, in his interesting work, which we have prefixed to the head of this paper, has favored his readers with the written answers, given by one hundred convicts to the question, "What was the first cause of all your troubles?" Mr. Kingsmill states that the answers "are selected from a larger number, only for their greater brevity and clearness:" we extract a few which may be taken as characteristic of the entire.

"2. The first cause of my troubles was bad company and the love of money, and because I would not hearken unto my parents' good advice, but followed the inclinations of my own wicked heart.

10. Disobedience towards both my Heavenly and earthly father.

18. Keeping bad company, regardless of the remonstrances of my father, who at last turned me out of doors; so having no home, I fell to dishonest means. The pleasures of sin were sweet; and one crime brought on another, until God, in his Providence, put a stop to my career.

21. I was a fool, and said in my heart, there is no God.

50 The cause of all my trouble has been through drinking and gambling, and being out all night card-playing, which caused me to spend a good deal of money, much more than I could earn by my own honest industry. So that, to supply my wants, I became dishonest, which got me into trouble, and was the means of my being sent for one month to the Warwick House of Correction. In this prison I was used well; I knew some of the prisoners; but instead of being made better by the punishment, my mind became more abandoned.

60. Casting off the fear of God, putting Him and His Commandments out of my thoughts, stifling the convictions of conscience, self-dependance, forsaking home, throwing myself in the way of committing sin, by being employed in an unjust system of transacting business, for the sake of lucre. These formed the source of my present fall.

74. Dissipation and company were some of the causes.

86. The first cause of my troubles, for which I have no person to blame but myself. I was left without a father when at the age of five years old. I had a tender mother; never lived one so fond of a child as my mother was of me. I was allowed any thing she could get for me; I was allowed pocket money to do as I liked with; I went to school when I thought proper, and stayed away when I liked. I often went to play houses; when quite young I was put apprentice to a Master who had a great many men, and I often went to beer houses with them on Saturday nights, and there I learned to drink, play at cards, and go home any time to my Master's house, I was let in, and nothing said to me. I am sorry to say, it was keeping of late hours of night, going to play houses and other amusements, and drink, and so on, till one sort of vice followed another, and when I gave way to it, it came on stronger and stronger, and now I have found it out. Those people that I have spent my money with, now if I wanted a meal of bread they would not give me one; but I hope, please God, that I have learned better; if a man gives his mind to drink, and to get drunk, that man is no good to any master nor himself; that is the cause of my troubles, nothing else.

100. There can be, I think, but one answer, however large a number may be asked this question; the absence of the fear and love of God."—(285—298.)

What an insight into the source of crime these answers afford.—

They are also important as indicating an improved and healthy state of mind, on the part of the prisoners subjected

to the discipline at Pentonville, and as exhibiting the power of that word which is "quick and powerful and sharper than any two edged sword;" but we at present refer to them as justifying our observation, that mere secular education is not sufficient to cope with the giant form of vice. We are bound in justice to assume, that the selection made by Mr. Kingsmill was not from any particular class of criminals, but is a fair sample of those who came within his notice and observation: how many then, of these hundred criminals refer the cause of all their troubles to the want of early education in reading and writing?*—not one—while thirty-five refer to a neglect of religious instruction, as the chief cause, and almost all the others as one of the chief causes, of their criminal career—but we are not without further and more conclusive evidence; the following table taken from those published by the Home Office up to 1848, and which we curtail from the tenth volume of the *Law Magazine N.S.* shows, beyond all doubt, that the class from which vice draws its largest supply, is the *very* class which had obtained the miscalled benefit of elementary secular instruction. The figures below, represent the proportion of crime.

Degrees of Instruction.	Increase of 1838 to 1842.	Increase of 1843 to 1847.
Unable to read and write	33·36	30·68
Able to read and write imperfectly	55·49	58·72
Able to read and write well	8·46	8·00
Superior Instruction	0·34	0·37
Instruction unascertained	2·34	2·21

* The following Table compiled from Mr. Kingsmill's statement, shows the proportion which the chief causes of crime bear to one another:—

Neglect or death of parents, removal from parents,	9
Bad company, gambling, theatres, and places of amusement,	36
Drink	8
Disobedience to parents, and *neglect of religious education*,	35
Love of money,	4
Machination of late master,	1
Poverty,	1
Other causes,	6
	100

"It is thus proved beyond the power of cavil or denial, that the bulk of our criminals spring, not from the entirely ignorant classes, or from the well instructed, but from those who have received precisely that smattering of mechanical teaching which feeds pride, empowers vice, and increases crime."

The writer in the same article from which we have quoted, makes the following observation on the Tables prepared by Mr. Fletcher for the Home Office. "It happens that all the *most* criminal counties, Worcester alone excepted, are among those which Mr. Fletcher tells us are the most instructed! Two of them, Middlesex *(by far the most criminal of any)* and Surrey, he designates as *in the highest scale of instruction.* And while in the nineteen *most* instructed countries there were no less than 14,660 committals in 1847, which to their total population according to the last censes, gives one crime to every 524 persons; in the twenty-one *least* instructed counties, there were 13,395 crimes, giving one committal only to every 583 of the population. *Hence the counties which have the most of the 'Instruction' in question are* 11·26 *per cent. more criminal than those which have least 'instruction!'*" *

In the domestic relations of life, the parent points out to his child overtaken in a fault, not only, that such and such conduct is reprobated by public opinion, and by the pursuit thereof he would forfeit the good opinion of his friends and companions, but he endeavours to enlist the tender feelings and affections of youth in the cause of propriety and good morals, by inculcating obedience to the principles of virtue of love and of gratitude, as required by the word of God; and why not adopt a similar rule in dealing with the erring members of society? The rule of conduct which directs, or at all events should direct, a man in his domestic relations, is the proper rule for his guidance in public life; and if his conduct is guided by the precepts of God's inspired Word in the latter case, why not in the former? If we are satisfied of the truth of one opinion beyond another, it is of this; that the means we adopt to influence our children, and to mould and strengthen their principles for the battle of life, are the proper instruments to employ in dealing with the convicted felon; to fit him for his approaching liberty, to make him a loyal subject, and an useful member of society.

* See Crimes and Criminals, 10, Law Magazine, N.S., page 267.

Mr. Thompson rightly observes :*

"It is a complete mistake to suppose of any child that it is possible for him to grow up *uneducated.* He must be trained or educated some way or other; and we err when we speak of the uneducated classes. No human being possessed of faculties and intellect can escape from education in the true sense of the word; and the distinction which exists in the world is not that of *educated* and *uneducated,* but of those who have been educated in sin and to sin, and those who have been educated in wisdom and to wisdom—of those who have been trained up neither to fear God or regard man, and those who have been taught from their infancy to fear God and love their neighbour. Men often talk as if reading, writing, and arithmetic, were the whole of education. In truth they are invaluable as means to an end; but real, true education consists not in these things, but in training up and moulding the immortal spirit which tenants the tabernacle of clay."

We are further justified, or rather fortified, in the opinion we hold, by the following short extract from the article in the *Law Magazine,* to which allusion has already been made :—

"The only access to the minds, is through the hearts of the poor. It will not only do to open Schools or print tracts, flinging down food with a "there, take it or not, as you like!" The very ignorance of the poor require that they be wooed to be won. The necessity for doing this is the more vital now because the masses are in a state of transition from ignorance to light, exposed to the perils of half knowledge, essentially requiring the tendency of philanthropy to shield them from the sneers of enemies and traitors."

The Christian knows and feels the truth of these remarks, and will at once acknowledge the value of the resolution agreed to, by the committee of the House of Commons, in 1850, in accordance with the testimony of the most experienced witnesses examined—"That a great majority of convicted prisoners are open to the same good motives and good impulses which influence other human beings; and therefore, that a system of encouragement to good conduct and endeavours to inspire feelings of self-respect, self-reliance, and hopefulness for the future, which have been tried in some of our largest establishments, ought to be adopted, so far as it is practicable, without imparing the penal and deterring character essential to any system of imprisonment." Upon this head we are induced to make one more extract from Mr. Kingsmill's work; he writes :—

* Meliora, or, Better Times to Come, Edited by Viscount Ingestre, Second Series, p. 123.

"The memoir of Elizabeth Fry is full of illustrations of the amazing power of the Gospel over the minds of the fallen, in the hands of devoted Christians. The following extracts will not be considered here out of place. The first is a description of the female wards in Newgate, given by a gentleman who visited the gaol one fortnight after the adoption, by the Lord Mayor and Aldermen of the City, of the new rules proposed by Mrs. Fry's Committee for the better regulation, discipline, and instruction of female prisoners:—'I went and requested permission to see Mrs. Fry, which was shortly obtained, and I was conducted by a turnkey to the entrance of the women's wards. On my approach, no loud or dissonant sounds or angry voices indicated that I was about to enter a place which, I was creditably assured had long had for one of its titles that of 'Hell above ground.' The courtyard into which I was admitted, instead of being peopled with beings scarcely human, blaspheming, fighting, tearing each other's hair, or gaming with a filthy pack of cards for the very clothes they wore, which often did not suffice even for decency, presented a scene where stillness and propriety reigned. I was conducted by a decently dressed person, the newly appointed yard's woman, to the door of a ward, where at the head of a long table, sat a lady belonging to the Society of Friends. She was reading aloud to about sixteen women prisoners, who were engaged in needlework around it. Each wore a clean-looking blue apron and bib, with a ticket having a number on it suspended from her neck by a red tape. They all rose on my entrance, courtsied respectfully, and then at a signal given, resumed their seats and employment. Instead of a scowl, leer, or ill-suppressed laugh, I observed upon their countenances an air of self-respect and gravity, a sort of consciousness of their improved character, and the altered position in which they were placed. I afterwards visited the other wards, which were the counterparts of the first.' It need scarcely be added, that the book read to these poor people, was the Word of God." *

We are rejoiced to say that the correctness of these views, is beginning to be more and more generally acknowledged. The establishment of Ragged Schools, Reformatory Schools, Night Asylums, Model Lodging-houses, and kindred Institutions, supported by the voluntary contributions of charitable persons, show to what extent, and in what direction, public opinion is manifesting itself. The efforts at present making, are rather directed to what is certainly the most important branch of this extensive subject, viz., the removal of those causes which *induce* and *promote* crime, than to the reforms necessary for restoring to a state of moral health, the corrupted and corrupting principles of the *fallen*. These efforts, it is the duty of Government to assist and promote by every means in its

* Page 354, 355.

power; and we are happy to observe that a commencement has been made in this respect. It is too late to bolt the door, after the steed has escaped; and we are now, after years of fruitless toil, forced to admit the soundness of that truth which lay before us for such a length of time, written on the pages of our Bibles, so plainly, that he who ran, might read—that to regenerate the human heart, it must be educated in the fear and love of God. We take the opportunity of here paying to Mr. Kingsmill the well deserved praise his interesting work deserves; there breathes through its pages a spirit of Christian benevolence, which does the writer, high honour; and it is remarkable for the frequent expression of that sympathy and kindness, which are such necessary qualifications in one whose duty imposes frequent personal intercourse with criminals, and who to do justice to his charge, must feel, like a true Christian, his own sinfulness, and the greatness of the blessing he himself has tasted.

Punishment is defined to be "some pain or penalty warranted by law, inflicted on a person, for the commission of a crime or misdemeanor, by the judgment and command of a lawful court:" according to this definition, the penalty must be warranted by law, and imposed by authority of a court of competent jurisdiction: with us, the sovereign, as the chief officer of the state, is entrusted with the administration of the law; and the power exercised by our judges and magistrates, is delegated by the crown to them, to execute justice and maintain truth. As the state or community has an undoubted right to make laws for its regulation and welfare, so it has an equal right to inflict punishment for their violation, provided they be just and equitable; for which purpose, they must be either founded and based upon the principles of morality, or demanded by the necessities and wants of the community. According to some, Beccaria, Mably, Bentham and others, the *right* of society to punish for offences committed against its laws, is derived from the social compact entered into for the purpose of maintaining the existence, promoting the advantages, and securing the safety of the state; while others, among whom is Livingston, refer to *abstract justice* as the foundation of the *right*; inasmuch as each member of a community is entitled, according to the true principles of justice, to the free exercise of his rights and liberties, and consequently, whatever tends to injure or impair that freedom, is a violation of justice itself, and ought to be punished. What-

ever be the true grounds, of the *right;* whether it be founded on the social compact, or on the abstract principles of justice, it is at all events clear, that the state is bound, as far as possible, to remove all causes and inducements to crime; and especially, to avoid creating statutable offences, which not being morally wrong, and their prohibition only justifiable on the ground of state necessity, tend, by the conditions and penalties attached to them, to fill the gaols, to extend the contamination of vice, and overload the community with a criminal population. Beccaria, in his treatise on crimes and punishments, makes the following observation, the truth of which should be constantly borne in mind: "To prohibit a number of indifferent actions is not to prevent the crimes they may produce, it is to change at will, the ideas of virtue and vice, which at other times we are told are eternal and immutable." And at the close of his 31st chapter, he further remarks—"The punishment of a crime cannot be just, if the laws have not endeavoured to prevent that crime by the best means, which times and circumstances would allow."

It frequently becomes necessary, to adopt the language of Mr. Adderley, member for North Staffordshire, "to first arraign the very laws and institutions themselves, and see whether they themselves may not be wholly guilty of part of the calendar of crimes they bring in, guilty also as seductive or accessory to more, guilty by laches or misprision of the fall of many of their more dependant subjects, guilty of stigmatizing others whom they should rather have relieved of their own injustice than visited with the addition of terror to neglect. Lamartine, talking of the state imprisonments of Mirabeau during his childhood, says;—'son ame y perd la pudeur qui survit rarement à l'infamie de ces châtiment précoses.' How many Mirabeaus, in this sense, may not our penal laws have produced! what hecatombs of virtue may we not have sacrificed, merely by a mistaken process in punishing vice! How much, also, may we not have multiplied sinners by an erroneous definition of sin!"

These considerations, however, more properly concern the the Legislator and Jurist; the mode and amount of punishment, is more within the sphere of our present reflections. The *right* to punish has its corresponding *duties and responsibilities.* To attain its social end, punishment should be, first, Exemplary, or sufficient to deter the evil disposed from committing crimes. Secondly, Reformatory, as the means of improving the moral condition of the criminal himself, and enabling him,

when he is restored to liberty, to become an useful member of society. Thirdly, Personal, or such as inflicts as little pain or injury on the criminal as may be sufficient to attain the first two ends: and Fourthly, Divisable, or capable of being proportioned to the guilt of each offence. When the punishment inflicted exceeds what is necessary to attain the above ends, it becomes oppressive and unjust: a system which combines these requisites is, as far as the nature of things admits, perfect; and how they may be best attained, must be a source of anxious enquiry to all.

Prison Discipline is also conversant with another class of persons whose position and treatment we must not over-look; viz. those who falling under the suspicion of crime, the state is authorized to retain in custody, until an opportunity is afforded of ascertaining their innocence or guilt. The number of this class of persons is, perhaps, larger than is generally supposed: out of the total number of cases, amounting to 17,678, returned for trial at the assizes and quarter sessions in Ireland, in the year 1852; 7,224 were either acquitted, the bills thrown out by the grand jury, or the prosecution against them abandoned. It would therefore appear, and the returns for the five years preceding 1853, to which we invite attention, also further fortify the conclusion; that only one-half of all those *committed* for trial are found guilty, and are subjected to penitentiary discipline. Of the other half, one-third are persons against whom no case of even primâ facie guilt could be established; and about one-sixth, are persons against whom the prosecution was relinquished.

Table showing the number acquitted, or against whom no bills were found, for the five years, preceding 1853.

No. I.

Years.	Number of Cases sent to Quarter Sessions and Assizes.	Cases acquitted, no bill, or no prosecution.	Numbers convicted.
1848	38,582	20,316	18,206
1849	41,989	20,787	21,202
1850	31,989	14,218	17,108
1851	24,684	10,307	14,332
1852	17,678	7,224	10,454
Total.....	154,922	72,852	81,302

No. II.

Year.	Number of cases acquitted, no bill, or no prosecution.	Not guilty.	No bill.	No prosecution.	Other causes.
1848	20,316	8,454	7,289	4,400	173
1849	20,787	8,375	7,940	4,244	228
1850	14,218	6,262	5,028	2,777	151
1851	10,307	4,806	3,348	2,058	95
1852	7,224	3,451	2,315	1,311	147
Total	72,852	31,348	25,920	14,790	794

We may conclude therefore, that about one-fourth of the entire number committed, without regarding any of those acquitted on their trials, are *innocent* of the offences laid to their charge. It is, of course, the duty of the state to retain in custody such persons, though, *in reality*, innocent, until that innocence has been established; but it is also a *sacred duty*, for the performance of which the state is responsible, to provide that parties committed for trial should not suffer either in their morals or physical health, beyond what is absolutely necessary, during that period which must elapse before a judicial inquiry takes place.

The subject of Prison Discipline is, therefore, conversant with two classes of persons; first, those committed to stand their trial for alleged offences; and secondly, those convicted of the offences charged, and sentenced to transportation or imprisonment for a greater or shorter period.

We purpose in the present paper to consider the Past and Present condition of Prisons and Prison Discipline. The "Convict Question," in all its bearings, will form matter for future consideration.

In each of the above respects—morally and physically, much improvement has been of late effected, especially as regards the personal condition of the inmates: but in the majority of our county gaols the change has been confined to the health and cleanliness, rather than to the separation and moral improvement of the prisoners. This result is, no doubt, owing to the fact, that the old county gaols are ill adapted in their construction to the modern system of Penitentiary Discipline; and also, to the natural disinclination which has existed,

and we regret to say, still does exist, to incur a large expenditure, in providing Prisons adapted to meet the requirements of the Separate System of punishment.

During the last century the state and condition of Gaols, Bridewells, Penitentiaries, &c. demanded vast reform; not only was the treatment of the prisoners odious and inhuman, but the principles which should regulate punishment were unknown or disregarded: they were indeed the schools of vice, and the hot-beds of crime; their misery and wretchedness, their dungeons and fetters, and other abuses, were alone worthy of the cruelty and darkness of the middle ages: they were the Augean stables, which required a Hercules to cleanse of their impurities. With this task the name of John Howard must ever be associated; his great zeal, his untiring energy, and his indefatigable industry in the cause of philanthropy, have acquired for him a name which may well be envied. Not only were his efforts directed to the wants and improvement of prisons in his own country, but every nation in Europe retains the impress of his benevolence: careless of his own health and safety, he pursued his object with noble determination, and sacrificed his life to the cause, to which he was devoted. Mr. Field has, in his work on Prison Discipline, claimed for the Society for Promoting Christian Knowledge the honor of first directing public attention to this subject—so far back as the years 1701-2. On the 12th January, 1702, a committee was formed to visit the prisoners confined in Newgate, and to report to the Society on their condition; the abuses referred to by the committee in their report, were identical with those so fully and minutely described nearly seventy years afterwards by Howard: the personal immorality of the keepers, their confederacy with prisoners in their vices, the unlimited use of intoxicating liquors, the practice of swearing and gambling, the association of old criminals with "new comers," and the neglect of all religious exercises, were the very evils to reform which John Howard sacrificed his life: seventy years had elapsed without public sympathy manifesting itself, and the Report of the Society lay neglected upon its table. We think therefore that the eloquent eulogium of Sir James Mackintosh, quoted by Mr. Field, may be taken in its integrity, when he said; "Mr. Howard was the first who caused the streams of public sympathy to flow in this direction; for, before his time the matter was *overlooked*, or the only sentiment entertained was a kind of stupid abhorrence of every one who

was merely accused of a crime. It was not until then that the true principles and object of penal inflictions was acknowledged to be, not the gratification of human vengeance, nor the anticipation of eternal justice, but simply the prevention of crime." We have not of course seen the documents in the Society's possession; and we doubt not they will prove both interesting and important, when published; but at all events, its early efforts were not followed, as far as we can discover, with any very practical results.

Howard was the only son of a wealthy warehouse-man and upholsterer in the city of London; he was born about the year 1727, and his father dying soon after, left him very young and of a delicate constitution, to the care of a lady who devoted great attention and extreme kindness to her charge. Arrived at the age of manhood, he returned the affection and care which he had experienced, by soliciting her hand in marriage; and with such earnestness did he plead his cause, that notwithstanding the arguments of the lady herself, who urged upon him the disparity of their ages—he being but just of age, and she some thirty years older, he persisted in his determination, and succeeded in making her his wife: one of his first acts after the marriage was to assign to her sister, who happened to be in indigent circumstances, the property which his wife had brought him. Shortly after her death, which event took place a few years subsequent to his marriage, he embarked, in the year 1756, for the purpose of visiting the city of Lisbon, which had been laid in ruins by the earthquake of 1755. On his passage, the vessel in which he sailed had the misfortune to be captured by a French privateer, and Howard was carried to France, a prisoner of war:—

"Before we reached Brest," he relates in a note to his work on the Prisons in England and Wales, "I suffered the extremity of thirst, not having for above forty hours one drop of water; nor hardly a morsel of food. In the castle of Brest, I lay six nights upon straw: and observing how cruelly my countrymen were used there, and at Morlais, whither I was carried next; during the two months I was at Carhaix upon parole, I corresponded with the English prisoners at Brest, Morlaix, and Dinnan: at the last of those towns were several of our ship's crew, and my servant. I had sufficent evidence of their being treated with such barbarity, that many hundreds had perished; and that thirty-six were buried in a hole at Dinnan in one day. When I came to England, still on parole, I made known to the commissioners of sick and wounded seamen, the sundry particulars: which gained their attention, and thanks.

Remonstrance was made to the French Court: our sailors had redress: and those that were in the three prisons mentioned above, were brought home in the first cartel ships. Perhaps, what I suffered on this occasion, increased my sympathy with the unhappy people, whose case is the subject of this book."

Howard married a second wife about the year 1758, and residing on his estates in Bedfordshire, employed his time, in connection with some dissenting ministers who resided in his neighbourhood, in the establishment of schools and the exercise of that benevolence for which he was distinguished. In 1773, he was selected as high sheriff of the county; and in the performance of the duties of that office, he was led to enquire into the circumstansce of those who, though acquitted upon their trials, or whose period of imprisonment had elapsed, were detained in custody until certain fees due to the gaolers and clerks of assize had been discharged. He soon found it necessary to extend the circle of his investigations; and the information which he collected through the several counties of England, was laid before the House of Commons in March 1774, on which occasion he received a vote of thanks. The two following years, 1775 and 1776, were occupied in travelling through Scotland and Ireland, for the purpose of prosecuting his enquiries respecting the different gaols, and places of confinement. An idea may be formed of Howard's industry when we reflect, that he visited every cell and dungeon with memorandum book and pencil in hand, in many instances, in the absence of the gaoler who refused to accompany him, in consequence of the desperate character of the prisoners. The first edition of his work on the prisons of England and Wales, was published in the following year, 1777.

He subsequently re-visited the Continent, and made another circuit through the prisons of England, Scotland, and Ireland.

The want of some information respecting foreign Lazarettos being about this time suggested, Howard determined to obtain the facts himself; and unaccompanied by a servant, for he refused to introduce even a menial into the abodes of infection and death which he was about to visit, he traversed France and Italy, thence proceeded to Malta, Zante, Smyrna, and Constantinople; at which place, having heard that the plague had broken out at Smyrna since his departure, he again returned for the purpose of obtaining a foul bill of health, in order that he might be compelled to undergo the rigours of the

quarantine, on his way home through Venice. Finally, he returned to England, passing through Vienna, and was there honored with a private interview by the Emperor Joseph. Wherever he appeared, the prison doors were thrown open; he was received with the highest respect, and the greatest attention was paid to his suggestions. In 1789 he published his "Account of the principal Lazarettos in Europe;" and shortly after commenced preparations for a third journey through the continent, with the view of extending his researches to more distant and unknown climates, than those he had as yet visited. In the course of this, his last journey, he visited St. Petersburgh, Moscow, and Venice; thence proceeded to Cherson, a town on the banks of the Dniester, in the neighbourhood of the Black Sea, where having contracted a fever in attending upon, and affording medical advice and assistance to, a lady; he died on the 20th of January, 1790, aged 63 years. Howard practised the greatest temperance and strictest economy in his private expenditure; still, his purse was ever open for the furtherance of that cause, for which alone he may be said to have lived. His death was publicly announced in the London Gazette, an honor seldom conferred upon private individuals; and a statue, erected to his memory in St Paul's Cathedral, was the first of the series which now adorns that noble structure. The university of Trinity College, Dublin, conferred on him the honorary degree of Doctor of Laws, during his visit to this country in 1782. He left no issue surviving him; his only child, a son, having died an infant during Howard's lifetime.

We have already stated that Howard's attention was first attracted to the state and condition of Gaols, by observing in the course of his official duties as sheriff, that several prisoners who had been previously acquitted, or against whom the prosecution had been abandoned, were nevertheless detained in custody, to the ruin of their families and the utter destruction of their health and morals, until they had discharged certain fees payable to the gaolers, the clerks of assize, and other officers. In the course of his investigations he "beheld scenes of calamity which he grew daily more and more anxious to alleviate." Amongst the number of those destitute prisoners, whose friends were too poor to supply them with the necessary funds, it frequently occurred that some portion of their scanty clothing was taken either in satisfaction of the demand, or in pledge for its

future payment. Even boys under the age of twelve, were, at times, confined in the midst of the contaminating influence of prison corruption, during the space of one or more years, until their fees, though amounting to no more than forty shillings, were paid; and when Howard visited Dublin in 1783, he found sixteen persons confined in Newgate, and fifteen in Kilmainham Gaol, for non-payment of these fees, although acquitted of the crimes for which they had been originally committed.* In addition to this legalized system of oppression, which outrages all our notions of justice, the treatment of prisoners in almost every gaol throughout the country was such, that in reading the description of their miseries, we are almost inclined to fancy ourselves perusing the dark scenes of history, when the lamp of civilization was extinguished, and the demon of persecution, torture, and tyranny, revelled in the gloomy dungeons of Europe. It is unnecessary, however, to describe, with any attempt at minuteness, cases of individual suffering or distress; it will be sufficient to allude to some of the particulars in respect of which improvements were imperatively demanded. Within a period of less than eighty years, in many of the Gaols and Bridewells of England and Ireland, no allowance of food, of any kind whatsoever, was afforded to the prisoners. "They should starve or work," and it seldom happened that the most industrious were enabled, even with the severest toil, to secure more than was barely sufficient to support life. In one instance, where three prisoners died from starvation, one halfpenny only was found on their persons; and so little regard was paid to the treatment they had received, that the Coroners' jury which was impanelled to enquire into the cause of their death, brought in a verdict of "died by the visitation of God—" blasphemously atributing to the Divine Being that result which was the natural consequence of their own culpable indifference to human suffering.

In other gaols, where a certain allowance of bread was provided for each prisoner, but was distributed among them by the gaoler, who, being virtually irresponsible, sought his own profit with greater earnestness than the prisoner's good, the scanty supply was often reduced to half the allotted quantity. The unfortunate debtors were even in a worse position: these unhappy

* Fees were abolished by the 2 George 4, c. 77. Salaries were directed to be presented by the Grand Jury, by the 4 George 4, c. 43, Ir.

persons, who perhaps from misfortune, or the grasping avarice of some inhuman creditor who insisted on his pound of flesh, were detained in prison, without the hope of ever again enjoying their lost liberty. They were denied the indulgence conferred upon the murderer and the highwayman, which scanty though it was,—in some instances barely sufficient for a single meal—would, nevertheless, have been gratefully received by those wretched persons who are described as eating their water soup, bread boiled in mere water, and as lamenting their hard fate in being "locked up and almost starved to death." To the want of food may be added the want of water, which very generally prevailed; the supply of the latter was in many prisons, just as curtailed as the former; and the demands of thirst and cleanliness, were dependant for the supply of their wants, upon the kindness and sympathies of the keeper. Even fresh air, so valuable for the various purposes of health and comfort, seldom circulated through the narrow cells and passages of the prison; its breezes, as it were, instinctively avoided the contamination of foul and fœted sewers, and the many offensive vapours which issuing, from the crowded apartments of filth and misery, poisoned the surrounding atmosphere.* The stone floors, covered perhaps with a little straw, which remaining unchanged for months, soon became converted into dust and vermin, formed the only beds afforded to the prisoners; under such circumstances, can we then wonder that disease and fever arose among the inmates of the gaol; that numbers of the prisoners fell the first victims at their shrines, and that the deadly infection extending from the precincts of the gaol or crowded Court-house, with retributive justice, visited the homes of the wealthy, and the houses of the great. †

——"Aequo pulsat pedo pauperum tabernas
Regumque turres."——

* By an Act of 3 George III. Ireland, reciting that many infectious disorders are daily produced by the confinement of numbers in close prisons, whereto there is no back-yard adjoining, and the lives of his Majesty's subjects are endangered by the bringing of prisoners into public streets for air; provision is made for the purchase of ground adjoining the gaol, for the purpose of affording exercise to them.

† Whoever has sat in a crowded court-house, during an Assizes, where prisoners are detained in close proximity; must have experienced, even at the present day, notwithstanding all the advances made in the management of prisons and prisoners, an offensive and heavy smell exceedingly detrimental to health; and may be able to form some idea of its intensity some fifty or sixty years ago. In Baker's Chronicle, p. 353, we are told that at an Assizes held in Oxford, in 1577, "all who were present died within forty hours, the Lord Chief Baron, the Sheriff,

The above are but the sources of physical suffering to which the prisoners were exposed. What were they to the moral evils and injurious practices which, if not actually permitted, were at all events carried on under the eyes, and with the knowledge of the gaolers, their officers and assistants? They all sprang from the monstrous system of promiscuous association; "where men and women were together in the day-room, where idleness, obscenity and blasphemy reigned undisturbed, where the keeper cared for none of those things, his highest duty was to keep his prisoners safe, and his highest aspiration, the fees squeezed out of their miserable relations." The history of gaols at this period is frightful in its details of abomination and evil doings.

Among the practices alluded to, may be mentioned the custom of garnish or footing, which was levied from each prisoner who arrived at the gaol: if no money was forthcoming for the purpose of providing whiskey, or some other intoxicating drink, for the benefit of the class into which he was about to enter, his clothes were taken from him by force, to raise the necessary amount: gambling was carried on, with all its demoralizing consequences by night, if not permitted during the day; and a portion of their next day's meal, if other means were wanting, formed the prize for which they contended.

This practice was continued to more modern times; when postage stamps, supplied to the prisoners by their friends, became the circulating medium of their wretched games:—

"The scenes which take place in gaols of this description, especially at night, when fourteen or more are locked up together in one room, without inspection, and with such light only as the moon and stars furnish through the grated windows, baffle all description. Gambling with stealthily fabricated dice or cards for the next day's food, fighting, singing vile songs, reciting tales of villany and debauchery, teaching or concocting crimes, with the most virulent

and about 300 more," the infection being brought into Court by the prisoners. Lord Bacon observes, "the most pernicious infection next the plague, is the smell of a gaol; where the prisoners have been long, and close, and nastily kept, whereof we have had in our time experience twice or thrice, when both the Judges that sat upon the trial, and numbers of those who attended the business, or were present, sickened and died." The Lent Assizes at Taunton, 1730, was equally fatal; the Lord Chief Baron Pengelly; Sir James Sheppard, Sergeant; John Pigott, Sheriff; and some hundreds, besides, died of the gaol distemper In 1750, the same malady in London carried off two Judges, the Lord Mayor, one Alderman, and many of inferior rank. The infection has often been carried into regiments, into which in former times criminals convicted of comparatively slight offences, were permitted to volunteer.

oppression of the few who may be better disposed, are the common features of the horrid scene. If there be men who have a turn for the drama, plays are acted, and the most solemn scenes of the Court of Justice are the popular subjects. The most guilty criminal is the one most looked up to.

"In the assize (writes a prisoner) there was a considerable number of what are called first offenders,—nine or ten, including myself, the remainder forming an overwhelming majority; two of them murderers, both of whom were subsequently condemned to death. I cannot reflect without pain on the reckless conduct of these two unhappy men during the two weeks I was with them. As regarded themselves, they appeared indifferent as to the probable result of their coming trial. They even went so far as to have a mock trial in the dayroom, when, one of the prisoners sitting as judge, some others acting as witnesses, and others as counsel, all the proceedings of the Court of Justice were gone through,—the sentence pronounced, and mockingly carried into execution. I shall not soon forget that day, when one of those murderers was placed in the cell amongst us, beneath the Assize Court, a few moments after the doom of death had been passed upon him. Prisoners on these occasions eagerly inquire, 'what is the sentence?' Coolly pointing the forefinger of his right hand to his neck, he said, 'I am to hang!' He then broke into a fit of cursing the judge, and mimicked the manner in which he had delivered the sentence. The length of his trial was then discussed: all the circumstances that had been elicited during its progress were detailed and dwelt upon,—the crowded state of the Court, the eagerness of the individuals present to get a sight of him, the grand speech of his Counsel,—all were elements that seemed to have greatly gratified his vanity, and to have drugged him into a forgetfulness of the bitterness of his doom. He then dwelt upon the speech he should make on the scaffold, was sure there would be an immense concourse of people at his execution, as it was a holiday week; and from these, and numerous other considerations, drew nourishment to that vanity and love of distinction which had, in no small degree, determined, perhaps, the commission of his crime. To minds in the depths of ignorance, and already contaminated by vicious and criminal courses of life, such a man becomes an object of admiration. They obtain from him some slight memorial—such as a lock of his hair, or some small part of his dress, which they cherish with a sentiment for which veneration is the most appropriate term; while the notoriety he has obtained may incite them to the perpetration of some act equally atrocious."

Such are the scenes which arise from the association of criminals. To return however to more distant periods. The reader will be surprised to learn that females were frequently keepers of gaols; at the period when Howard wrote, the gaols of Worcester, Horsham, Monmouth, Gloucester, and Exeter, were each under the custody of females. It also frequently occurred that the governors resided at a distance from their respective

* Kingsmill, p. 100.

gaols; and consequently whatever little moral influence they may have possessed, and which might have been exercised over their inferior officers and prisoners, was withdrawn. In some localities, gaols where private property; and as might naturally be expected, were maintained in a miserable state of repair, whilst the harshest methods were adopted to prevent the prisoners from escaping The torture of the thumb-screw, and other acts of cruelty, were at times perpetrated; for the proprietors, less under the control and supervision of magistrates, than those officers who were subject to dismissal for neglect or misconduct, regarded only the security of the prisoners committed to their charge. If we add, to all these various evils endured by the unfortunate inmates, and to the various practices indulged in by them, the free use of intoxicating liquors, controlled alone by the pecuniary means at their disposal; we may form some idea of what prisons were in Howard's time, without any danger of drawing an exaggerated picture.—Every gaol had its tap, every gaoler his license to sell; and even after this nefarious traffic was prohibited, and the licenses withdrawn, the prisoners themselves were enabled, by the connivance of the gaoler, to persist for sometime longer in the use of intoxicating liquors. We doubt not, we shall be excused for adding a few words descriptive of the principal gaol in our own city. * At the period we are alluding to, Newgate possessed but one common hall "where the tried and the untried, those charged with felonies and with petty offences, and even prisoners under sentence of death, were all indiscriminately mingled without any attempt at classification." Howard, in the year 1783, gives the following description of this prison, stating at the same time, that many of his remarks were generally true of the other gaols at that time in Ireland:—

"It is not kept clean—the pumps being out of order there is no regular supply of water—there is no proper separation of the sexes from one another—or of petty offenders from the most abandoned criminals—numbers of acquitted prisoners are detained for the fees—such as are committed to hard labour are confined in idleness—There is no bedding, though the floors are stone—spirituous liquors are sold in the prison—new comers are robbed or stripped, and abused for the penny-pot or garnish—The proper prisoners have not

* Newgate was built in the year 1773, under the superintendence of Mr. Cosley, the architect.

the use of the day rooms—the dungeons are used as lodging rooms for prisoners before they are condemned—the sick have no proper room, or beds, and no attention was paid to them—no bath—no divine service—The keeper does not reside in the prison—criminals are made turnkeys—the act for preserving the health of prisoners not hung up; nor any table of fees, rules or orders—The allowance, two pennyworth of bread a day; but being delivered only twice a week, and not fixed by weight, some of the prisoners are almost starved."

Again in 1788, he states:—

"At Dublin Newgate, there are no proper drains, no baths, no apartments for the goaler—Many of the women lay on flag-stones, with a very little straw worn to dust.—On the men's side, several boys, from nine to twelve years of age, were confined with the most daring offenders.—There are many instances of persons dying by intoxication and fighting: one lay dead when I was in the infirmary, and another was killed a few days after." "I have good authority to assert, that a puncheon of whiskey has been drunk in a week.—garnish is not abolished; and prisoners will sell their bread at any price to procure spirituous liquors."

The account given of the state of this goal, by Commissioners appointed for the purpose of inspecting it, at a period, later by nearly thirty years; viz. in 1808, does not show any very striking improvement:—

"They found the Hospital totally destitute of proper bedsteads, bedding, linen, and other articles essentially necessary for the sick; the Surgical department badly attended; the cells also throughout the prison without bedsteads and bedding, and the persons of the prisoners with the cells themselves, extremely filthy; at the same time it appeared from the testimony of the Chaplain, that from a total want of proper discipline, not only insubordination and anarchy had universally prevailed in former years, but that frequent instances of robbery had occurred, which was not only permitted but encouraged, and the plunder shared with the turnkeys and watchmen, and that even rape and murder had been perpetrated within the prison—that a salutary change, however, had lately taken place, in consequence of the laudable conduct of the keepers, particularly of the deputy gaoler, under whose more immediate supervision the care of the prison necessarily falls; but though many improvements had taken place, and the conduct of the prisoners was at present, with a very few exceptions, decent and inoffensive; yet numerous evils still existed, which were the necessary result of the injudicious and confined structure of the gaol."*

* Vid. History of the City of Dublin, by Whitlaw, and Walsh, Vol. ii. 1059. Among other acts of misconduct charged against the officers of this gaol, was the following:—During the Rebellion the remains of those misguided persons who had been condemned to death, were generally directed to be given to their relations after the sentence

The distinction which prevails, according to the general effect of the statute law, between Gaols and Houses of Correction or Penitentiaries, as they are now more generally called, consists in this; that while Gaols are under the controul of the Grand Jury and Sheriffs of the county in which they are situated, Houses of Correction are properly under the direction of the Crown; in whom also the *property* in both is held to be vested. No place of confinement can be erected without the authority of an Act of Parliament. Houses of Correction, which may be traced back to the reign of Elizabeth, were originally designed for the punishment of vagrants and paupers who refused to work; the above distinction however now no longer exists, a late act having placed them on a similar footing with other gaols,—(14 & 15 Vict. c. 15. sec. 20—21.)

The first act of the British Legislature for the establishment of a Penitentiary, was passed in the year 1776; and is known by the title of, Howard's act (16 G. III. c. 74). It is remarkable for containing the first recognition of the important principle afterwards so fully recognised: viz, that of adopting solitude, as a mode of punishment, proper to be applied to the treatment of prisoners. The preamble recites, "That whereas if many offenders convicted of crimes for which transportation has been usually inflicted, were ordered to *solitary imprisonment* accompanied by well regulated labour and religious instruction, it might be the means, under providence, not only of deterring others from the commission of the like crimes, but also of reforming the individuals and inuring them to habits of industry." The act was framed with the assistance of Mr. Eden, afterwards Lord Auckland, and of Sir William Blackstone, author of the *Commentaries*, who states its object to have been; "by sobriety, cleanliness, and medical assistance, by a regular series of labour, by *solitary* confinement during the intervals of work, and by due religious instruction, to preserve and amend the health of the unhappy offenders, to enure them to habits of industry, to guard them from pernicious company, to accustom them to serious reflection, and to teach

of the law had been carried into execution. Notwithstanding this direction the turnkeys were in the habit of demanding exorbitant prices for the bodies; and in proportion as the remains became putrid or the anxiety evinced by the relations increased, the barbarous demand was raised in amount. In one instance it is stated the head of an unfortunate gentleman was detained and at length ransomed with the sum of £50. See also IRISH QUARTERLY REVIEW, Vol. III, No. 12, pp. 976, to 985, for a most interesting account of the old Dublin Prisons.

them both the principles and practice of every christian and moral duty." For the purpose of carrying out the objects of this act two gentlemen, Dr. Fothergill and Mr. Whately, were associated with Howard, who acted at the request of Sir W. Blackstone, to superintend the erection of the building and the due execution of the measures directed by the act; but a difference of opinion having arisen between the Commissioners, Howard and Fothergill preferring Islington, while Whately insisted on Limehouse as the proper site for the erection of the Penitentiary, and Fothergill shortly after dying, Howard sent in his resignation, and in consequence, no step of importance was taken in pursuance of the provisions of this act—the first fruits of Howard's exertions. It appears, however, that the principle recognised in the preamble, though not carried out under the auspices of government inspectors, was adopted by others, whose feelings of humanity had been excited by the representations and disclosures brought to light in Howard's work: Mr. Field mentions, that in 1779, a gaol was erected at Horsham, after a plan of the Duke of Richmond, in which a separate cell was provided for each prisoner; and how great was the success which attended, what was then but an experiment in penal discipline, we may gather from the following anecdote, extracted by Mr. Field, in his interesting volumes, from Halliday's *Life of Lord Mansfield*. The conversation took place between his Lordship, and the governor of Horsham Gaol:—

"Lord Mansfield—'A few hours only have flitted or passed away, since, in the discharge of my duty as a judge, I delivered your new gaol. I was very much pleased at the sight of a calendar, where the number of prisoners which formerly have fallen to my lot to try for offences at Horsham, was reduced more than one-half. I am now very much astonished to find that the few prisoners I have tried at this period would not occupy one-fourth part of the new gaol. How can your Lord Lieutenant satisfy the County of Sussex that there has not been prodigality and waste of the County money, in raising so large and stately an edifice, three fourths of which appear to be untenanted?'

"The answer was—'My Lord, I must leave his Grace of Richmond to answer for himself: I have very little doubt of our Lord Lieutenant acquitting himself of your Lordship's heavy charge of prodigality. This, my Lord, I can truly say, that I was twelve years keeper of the old gaol, and have been near twelve years keeper of the present County prison. I can say further, that the new gaol was built upon a plan to contain the average number of criminals and debtors which the old gaol was accustomed to hold in durance vile. But, my Lord, although in days of yore my visitors were very

troublesome, and very frequent in their visits to me,—discharged at one assizes, and in prison again within the old walls, long before the next; yet such, my Lord, is the effect of our solitary confinement, and of making a rogue think a little, *and become acquainted with himself*, that in the course of the last twelve years, I can solemnly declare before your Lordship, that only one prisoner has been twice within these walls?'

"'Good God!' replied the noble Earl, 'this language of experience is very forcible, and the fact ought to be more generally known.'"

The principle of solitary confinement was again acknowleged in 1781, by the statute passed in the 22 George III. cap 54. Subsequently, a prison was erected at Petworth, in which prisoners were kept *separate* day and night, labour was performed by the prisoners in their respective cells, no conversation was allowed on any pretence between the prisoners, nor were two prisoners permitted to be aired together. At Gloucester also, about the same time, a Penitentiary was erected, containing seventy-one cells; in which prisoners were confined at hard labour on the separate principle. It was opened for the reception of prisoners in the early part of 1791, and was established mainly through the exertions of Sir George Paul. When, however, the accommodation became unequal to the increased number of prisoners, the discipline was, by degrees, broken through, and finally altogether disregarded.

In the year 1794, the subject was again brought under the attention of the Legislature by the proposal of Jeremy Bentham, who offered to contract with Government to build a Penitentiary after a new plan designed by himself, and styled a 'Panopticon,' capable of containing one thousand prisoners; and further engaged to contract for their maintenance, and to undertake the management and direction of the entire, as governor. An act of Parliament was accordingly passed, 34 George III cap 84, authorizing the Government to accept his proposal; but difficulties having arisen, as some suppose from the personal dislike with which he was regarded by George the Third, the contract was not completed. The more recent determination which Government then arrived at, of transporting convicts to New South Wales in preference to the establishment of National Penitentiaries at home, removed the necessity of immediate action; and it was not until the year 1810, when the subject was brought forward by Sir Samuel Romilly, that the attention of government was again actively directed to the

question. On the 9th May in that year, and subsequently on the 5th June, Romilly brought the matter before the notice of the House; and though his motion was negatived, a resolution, substantially embodying his views, was adopted, and a committee nominated, with authority to enquire fully into the subject. The committee reported against the adoption of Mr. Bentham's views, on the ground, that they were contrary to the principles on which the 19 Geo. 3 cap. 74 (Howard's act) was framed; but at the same time recommended that the Penitentiary system on the principle recognized by that act, should be extended to different parts of the Kingdom; an act was therefore passed—52 George III cap. 44—in 1812, for the erection of the Penitentiary at Millbank, originally intended to accommodate 300 males and 300 females; but subsequently, to avoid the necessity of district Penitentiaries, enlarged to contain 600 males, and 400 female convicts: the entire number was afterwards limited to 800, by the 5th and 6th William 4th, chapter 38.

The attention of parliament was again attracted, in the year 1822, to this subject, by the publications and exertions of Mr. Gray Bennett, Mr. Fowell Buxton, and the London Prison Discipline Society. In that year a committee of the House of Commons was appointed to review and amend the existing laws relating to gaols and prisons. The act of 1823, 4th Geo. IV., cap. 64, was the result of its labours, and this act as regards England and Wales, with the corresponding Irish act of 7th George IV., chapter 74, entitled, An Act for consolidating the laws relating to gaols in Ireland, (31 May, 1826) still continue to regulate and provide for the erection and maintenance of most of the county gaols in these Kingdoms. By the Irish act, the several statutes stated in the note were repealed,* except so far, as they repealed former statutes. A Board of Superintendence, whose members were elected by the Grand Jury out of their own body, was empowered to preside over the discipline and management of the county gaols, and to make bye laws, which being approved of by a judge of the King's Bench, were directed to form the standing rules and regulations for its government. Justices of the Peace were authorised, by virtue of their commissions, to visit the several Gaols and Bridewells in their respective counties, and report abuses to the

* 50 Geo. III., chap. 103; 55 Geo. III., chap. 92; 57 Geo. III., chap. 71 59 Geo. III., chap. 84; 59 Geo. III., chap. 100; 3 Geo. IV., chap. 6.

Board. The sixth Section regulates the accommodation to be provided for the different classes of prisoners, and directs that each Prison shall consist of two parts, one for male and one for female prisoners, with a complete division between them, so as to prevent any intercourse; that to each part shall be annexed a yard of sufficent dimensions to enable the prisoners to have the benefit of fresh air and exercise, and other necessary accommodations; that in every such prison, a common hall shall be provided, one for males and another for females; that the most effectual means shall be adopted for the security, classification, health, inspection, employment, and religious and moral instruction of those confined; district wards, and dry and airy cells, were directed to be provided, in which the different classes, 1st, debtors; 2nd, persons committed for contempt of court; 3rd, persons convicted of felony; 4th, persons convicted of misdemeanors; 5th, persons committed for felony; 6th, persons committed for misdemeanors; and 7th, vagrants, should be confined; and such further means of classification adopted, as should be deemed conductive to good order and discipline. A separate sleeping cell was also, if possible, to be provided for each prisoner; but as the numbers might at times be greater than the prison was calculated to contain under the above arrangement, and as it was deemed expedient that two male prisoners only, should never be lodged togather, the act directs that a small proportion of cells or rooms shall be provided for the reception of three or more persons. Rooms, and places for the various purposes of labour and industry, are likewise directed to be properly fitted up, and also a competent number of cells adapted to solitary confinement for the punishment of refractory prisoners. The Lord Lieutenant is empowered to appoint two Inspectors to have the general supervision of the several gaols through the country, (s. 54-55); and further regulations with respect to various details, are enacted in subsequent sections.

There can be no doubt that the provisions of these statutes, effected a vast amelioration in Prison Discipline. Our several County Gaols (speaking generally) are still conducted in accordance with their provisions, because the more improved system, cannot, by any possibility, be carried into operation, without rebuilding, or at all events remodelling the present gaols. It is to be remarked, that the above act, though recognizing the propriety of separating prisoners from each other, and, as

far as it goes, directs such separation to be effected *at night;* yet directly sanctions the principle of classification, a principle which carried to the extent it has been, must ever produce the worst results,—for it has been truly stated, "Legal distinctions of crime, form an imperfect criterion of moral character." After the provisions of the above Acts, commonly called the Gaol Acts, had been some years in operation, the systems of Penal Discipline in the United States began to attract notice in Europe; and in the year 1831, M.M. de Beaumont and de Tocqueville, on behalf of the French Government, visited the various Penitentiaries in America. In the year 1833, Mr. Crawford, a gentleman who had acted for many years as Secretary to the Prison Discipline Society, was selected by the British Government for a similar purpose; nor could one possessing higher qualifications have been chosen. On his return, the valuable report which he prepared, and which contained a vast amount of interesting and important information, was presented to both Houses of Parliament. The system of Penal Discipline which then prevailed in the United States, was of two kinds; first, the silent, solitary, or Auburn System; and second; the separate or Philadelphian, System. With respect to the first, a trial as to the effects of solitary confinement was made in the year 1822, at Auburn, upon eighty of the most hardened convicts during a period of ten months. But what was the result?

"They were each confined in a cell only seven feet long, three feet and a half wide, and seven feet high. They were on no account permitted to leave the cell, during that long period, on any occasion, not even for the purposes of nature. They had no means of obtaining any change of air, nor opportunities of taking exercise. The most disastrous consequences were naturally the result. Several persons became insane: health was impaired, and life endangered."

A further experiment took place in the State of Maine, of a still more cruel character. Mr. Crawford describes it in the following terms:—

"The night rooms or cells at this prison are literally pits entered from the top by a ladder, through an aperture about two feet square. The opening is secured by an iron grate, used as a trap door; the only other orifice is one at the bottom, about an inch and a half in diameter, for the admission of warm air from underneath. The cells are eight feet nine inches long, four feet six inches wide, and nine feet eight inches high. Their gloom is indescribable. The diet, during confinement, was bread and water only. Thus immured, and without any

occupation, it will excite no surprise to learn that a man who had been sentenced to pass seventy days in one of their miserable pits hung himself after four days' imprisonment. Another, condemned to sixty days, also committed suicide on the twenty-fourth day. It became necessary to remove four others, who were unable to endure this cruelty."

Cruelty! this was not merely cruelty, but torture, downright unmitigated torture. A state of living death, where the animal tenacity of life maintained a protracted struggle with physical and mental suffering; where the mind was racked with solitude, unrelieved even by toil; where the constitution was undermined by damp walls, deprivation of light, and excess of cold, at the same time that existence was prolonged by a wretched subsistence on bread and water. Such, to the shame of humanity, be it spoken, were the early experiments on solitary confinement. They were of course soon abandoned, and the mode of Discipline materially altered and improved. At the Auburn Penitentiary, cells of proper dimensions were provided with all the advantages of air, light, and warmth; while associated labour, in rigid silence, was retained, as an additional element of punishment. The regulations adopted in the Penitentiary were as follow:—

"The cells are unlocked soon after day light. The prisoners are required immediately to place themselves in order, each having a provision-kid, water-can, and night tub. After depositing these articles, as prescribed by the regulations, they march to the work-shops, when the labour of the day begins. At a fixed time, they repair in silence, in close file, to the mess room to breakfast, where they sit with their faces in one direction. After an interval of about twenty minutes, they return to their work. The same order is observed on proceeding to and returning from dinner. As the hour approaches for returning in the evening to their cells, they wash. On a signal they again form into line, each according to the number of his cell. The Convicts then proceed from the shops into the yard, whence, having taken up their night utensils, they march to their cells. In passing through an apartment adjoining the kitchen, each man takes up the supper prepared for him. On arriving at his cell, he enters it and partially closes the door, which is locked by the turnkey. The galleries are occupied by distinct companies, and superintended by different officers. The prisoners eat their supper in their respective cells, after which a prayer is offered up by the chaplain in the area of the gallery. On a signal, they are required to repair to their beds. During the night, turnkeys, with mocassins on their feet, move silently along the galleries."

With regard to the discipline enforced, silence was the inflexible and unvarying rule; no convict was permitted to speak to his fellow prisoner, but was compelled to pursue his labour

with downcast eyes; if detected in looking off his work, or endeavouring to communicate with others, the lash of the overseer quickly descended on the victim with unfailing certainty. The amount or severity of the castigation, depended on the will or temper of the keeper; there was no check, no appeal, and no redress. The right of visitors to admission on payment of a small fee, was considered sufficient to restrain the undue exercise of cruelty; but experience soon proved how slender were the data on which the conclusion rested Take an example. In the year 1825 a prisoner named Mastison, was committed to the penitentiary; he proved unruly and very hard to manage; one officer after the other, took him in hand without success,and he was repeatedlywhipped by order of the assistant gaoler; on one occasion, the blood trickled down his face from the wounds inflicted on his head; when stripped,for the purpose of washing,"his shirt was found sticking to his old sores." Shortly after, tokens of derangement became visible in his countenance; he was removed from the work shops, and subsequently pardoned on the ground of insanity. Again; in January 1826, a prisoner whose duty required him to carry wood for some purpose connected with the management of the gaol, taking up a log, inquired of the guard whether he should carry *it*, along with the others; the guard made him kneel down, and soundlywhipped him; alleging that the prisoner knew it was his duty to carry it, and therefore ought not to have asked the question. On another occasion, a convict was observed making some gesture, the assistant keeper immediately inflicted on him some six or eight blows with a "stick;" it afterwards appeared, that the prisoner merely wanted a particular tool for the performance of the labour in which he was employed.The case of RachaelWelsh is too painful to describe: death terminated her sufferings; and various other instances, are given in the Official Report of the Commissioners appointed by the legislature of New York to investigate the condition of the Auburn Penitentiary in 1827. Such was the Auburn Penitentiary as described by Mr. Crawford in his report; similar in its discipline and management, to that for many years previously pursued in the Maison de Force at Ghent. We agree with Mr. Crawford when he writes, "the lash is opposed to those moral and religious means which experience has proved most efficacious in the recovery of the human character; and I feel assured that the idea of its adop-

tion as an ordinary instrument of discipline would not be entertained, much less will the practice be tolerated in the prisons of Great Britain."—Heaven forbid, it ever shall be otherwise.

It is now generally admitted that the silent system, properly so called, which, as Mr. Merry, a Magistrate of the County of Berks, describes it, is a "system whereby a man is left entirely to himself, like a dog in a kennel," has proved a failure. Absolute silence is opposed to every sentiment implanted in us by nature; it is therefore opposed to principle, and if carried to an extreme, subverts the mental energy and health of the prisoner. Its usefulness consists in preventing communications between prisoners when *associated*, but we cannot perceive where its value lies, when prisoners are *separated*. In the former case, silence should be enforced as much as possible; but even in such case, it is not without its disadvantages. It causes offences against discipline to abound; it encourages the study and practice of deception, and can only be maintained, by what we conceive, to be, undue severity. The opinions of those who have devoted much time and attention to the subject, at least those whose opinion we would wish to regard and honor, agree in pronouncing the inefficiency, and inutility, of absolute silence. The mental energy of the prisoner becomes degraded and sottish under the unnatural restraint; stupidity and madness are the frequent results; bodily health is by degrees undermined, and his energies distroyed. The remark of Mr. Geare, Chaplain to the Abingdon Gaol, in his report, dated October 15th, 1853, is applicable to the system of absolute silence:—

"The minds of the prisoners stagnate after a certain time, their first feelings have subsided and became blunted, the school duties become monotonous to them, they are wearied, dispirited, and the punishment is to them a source of prolonged irritation, truths frequently inculcated and well known cease to interest or impress. They appear slow to believe any profession of interest for their welfare. Under the purely penal system, all of course must be endured; but aiming as we do at the re-establishment of their principles and character, we have to deplore this state of mind as extremely injurious."

If such remarks are applicable to the *separate*, they are still more so, to the silent system. The latter runs counter to our natural propensities; it degrades instead of raising the character of the prisoner; it renders necessary perpetual

surveillance, and perpetual punishment. In the words of the Report of the Society for visiting the prisons of New York, for the year 1846, "their confinement is a school, not for teaching obedience to the law, but for learning tricks and plans for evading and violating it."

The separate, or Philadelphia system, as it is sometimes called, was adopted in the State of Pennsylvania, in 1829. A Penitentiary had been established in 1818, at Pittsburgh, for the Western Division of that State, on the principle of solitary confinement without labour; from the construction of the building, however, it was found impossible to carry out the system in its integrity, and the intention was accordingly abandoned. It having afterwards become necessary to erect a new Penitentiary for the Eastern Division of the State; a site for the building was selected, distant about a mile from Philadelphia, and the legislature, having witnessed the results produced some years before at Auburn, determined upon adopting a medium course, between the rigorous system of solitary confinement *without* labour, and that of association during the day time for the purposes of labour, with confinement in separate cells or apartments at night. The course adopted, was that which experience has since proved to be best calculated for deterring and reformatory purposes—separation both by day and night, accompanied with employment in the cells or other separate apartments provided for the purpose.

We do not purpose entering into any minute description of the accommodation provided by the Penitentiary at Philadelphia. The site occupies about twelve English acres. The rooms or cells are vaulted and fire proof, well ventilated, and properly supplied with heat. In each cell a small aperture is provided, by means of which the prisoner can at all times be observed, without his knowledge. To the cells on the ground floor small yards are attached, in which the prisoner is permitted to take occasional air and exercise. The punishment, when inflicted, consists in taking away employment from the offender, diminishing the quantity of his food, or confinement in a dark cell. When the period of his sentence expires, he leaves the gaol, if not improved, at all events uncontaminated by association with the vicious:—

"On the admission of a convict he is taken into an office at the entrance of the Penitentiary and subjected to the usual course of examination. His person is cleansed, and he is clothed in an uniform. He is then blindfolded, and conducted to his cell. On his way

thither, he is for a short time detained in the observatory, where he is admonished by the Warder, as to the necessity of implicit obedience to the regulations. On arriving in his cell, the hood is removed, and he is left alone. There he may remain for years, perhaps for life, without seeing any human being but the inspectors, the Warden and his Officers, and perhaps occasionally one of the official visitors of the prison. For the first day or two, the convict is not allowed to have even a Bible, nor is any employment given to him for at least a week, a period during which he is the object of the Warden's special observation. The prisoner soon petitions for an occupation. It is not, however, until solitude appears to have effectually subdued him, that employment of any kind is introduced into his cell. Under such circumstances labour is regarded as a great alleviation; and such is the industry manifested, that with few exceptions, has it been necessary to assign tasks. Several salutary provisions are made by the Legislature against the abuse of the power vested in the Warden and his Officers. The inspectors are required to visit the prison at least twice in the week, and on these occasions to speak to each prisoner and to listen to any complaint that may be made of oppression or misconduct. Neither the Warden or any of his assistants are to be present at these interviews, unless their attendance be desired. The physician is required to visit the Infirmary daily, and to attend at the Penitentiary twice in every week for the purpose of inquiring into the mental as well as bodily state of every prisoner. The official visitors appointed by the Legislature are the Governor of the State, the Speaker and Members of the Senate, the Speaker and Members of the House of Representatives, the Secretary of the State, the Judges of the Supreme Court, the Attorney General and his Deputies, the President and Associate Judges of all the Courts in the State, the Mayor and Recorder of the Cities of Philadelphia, Lancaster, and Pittsburgh, the Commissioners and Sheriffs of the several counties, and the acting Committee of the 'Philadelphia Society for the Alleviation of the Miseries of Public Prisons.' No person but an official visitor can have any communication with a prisoner, unless under special circumstances; nor is a visitor permitted to deliver to or receive from a convict any letter or message, or to supply him with any article, under the penalty of one hundred dollars. Such are the general arrangements of this Penitentiary."

The reader will at once admit the great superiority of these arrangements, compared with those we have previously described. Considered absolutely, however, we cannot but feel surprised that religious instruction should not have been included in the course of discipline. It is by it alone the criminal can be *reformed*; however possible it may be, without its assistance, to deter him from again committing crime.

In what then, does the exact distinction between the solitary and the separate system, consist?—

* Crawford's Report, p. 10.

"The discipline of Auburn is of a physical, that of Philadelphia of a moral character. The whip inflicts immediate pain, but solitude inspires permanent terror. The former degrades while it humiliates; the latter subdues, but it does not debase. At Auburn, the convict is uniformly treated with harshness, at Philadelphia with civility; the one contributes to harden, the other to soften the affections. Auburn stimulates vindictive feelings. Philadelphia induces habitual submission. The Auburn prisoner, when liberated, conscious that he is known to past associates, and that the public eye has gazed upon him, sees an accuser in every man he meets. The Philadelphia convict quits his cell, secure from recognition, and exempt from reproach."*

There can be little hesitation as to which alternative we should adopt; and we are confirmed by the authority of one who has had the benefit of great experience. The following extract from Mr. Field's work, though long, we need offer no apology for inserting:—

"Separate confinement differs from solitary confinement both in its *nature* and in its *design*. Solitary confinement is universally and correctly understood to be a condition of as unmitigated, uninterrupted seclusion from human society as is practicable: often in dark or gloomy cells of small dimensions, ill-ventilated, often damp, and destitute of those accommodations necessary for the prisoner's convenience; his diet being generally restricted to mere bread and water. Separate confinement, as we have said, is totally different in its *nature* from this. It differs from it in the following particulars:—In providing the prisoner with a large, well lighted, and well ventilated apartment, instead of immuring him in a confined, ill-ventilated, and dark cell:—In providing the prisoner with every thing that is *necessary* for his cleanliness, health, and comfort during the day, and for his repose at night, instead of denying him those advantages: In supplying him with sufficient food of wholesome quality, instead of confining him to bread and water:—In alleviating his mental discomfort by giving him employment:—By the regular visits of the officers of the prison, of the governor, surgeon, turnkeys, or trades' instructors, and particularly of the chaplain, instead of consigning him to the torpor and other bad consequences of idleness, and the misery of unmitigated remorse, resentment, or revenge:—In separating him from none of the inmates of the prison, except his fellow-prisoners, instead of cutting him off, as far as may be, from the sight and solace of human society:—In allowing him the privilege of attending both chapel and school, for the purpose of public worship, and education in class, (securing on these occasions his complete separation from the sight of his fellows) instead of excluding him from divine service and instruction:—In providing him with the means of taking exercise in the open air, whenever it is proper or necessary, instead of confining him to the unbroken seclusion of his cell. Separate confinement also differs from solitary confinement in its *object*. The object of separate confinement is the permanent moral benefit of the pri-

* Crawford's Report, p. 19.

soner—an object which he can plainly see that the system has in view. The object of solitary confinement is solely to punish the prisoner, principally for violating the prison regulations, and that too by means always harsh and severe, and often vexatious and exasperating; and this not to effect a lasting moral benefit for himself, but to uphold the prison discipline at the price of severe bodily and mental suffering. Under the separate system an appeal is made to the moral sense and understanding of the prisoner; he is treated as a man, and with the respect and benevolence due to humanity, even in its lowest debasement. Under solitary confinement, on the other hand, the offender is treated as a being divested of the common rights, capacities, and feelings of human nature. It is upon his corporeal frame that the punishment is designed to act; no attempt, or but little, is made to appeal to his reason and conscience. This treatment tends to harden, provoke, and brutalize; whereas, the other is fitted and designed to induce reflection, kindliness, gratitude, and amendment. In short, separate confinement is the separation of each offender from all communication and association with his fellow-offenders, regard being had to his bodily health, his mental sanity, his intellectual improvement, and his moral amendment, by inculcating industrious habits, and by religious and moral instruction. Solitary confinement is the seclusion of the prisoner, as far as is practicable, from all human society, attended with privations both bodily and mental, which are intended merely to inflict punishment, to subdue obstinacy of temper, and to uphold authority by the operation of pain and fear: it employs harsh measures to effect a temporary purpose."

One of the evils inherent in human nature, is the facility with which men run from one extreme to the other in every social question; and indeed we may say in every question without exception, we are too apt to adopt extreme opinions; we would wish to protect ourselves against this fault. The destructive consequences of promiscuous association, must be evident to all. "Evil communication corrupts good manners." We are not, however, justified in carrying "separation" to an undue limit, even for the sake of its detering qualities. The separate system applied to a period of probation proportioned to the sentence passed upon the prisoner; and a gradual transition to association, conducted with a regard to the moral improvement of the convict, so as to prepare him for his approaching liberty; would seem to provide for the practical requirements of punative discipline, according to the principles of reason and common sense; while the adoption of either system by itself, involves us in manifest difficulties. If we adopt the one, we directly aid in the dissemination of vice, while we punish its existence; if we adopt the other in its integrity, insanity and physical

debility follow by a course, less rapid to be sure, but equally certain to that which the silent system affords. The separate system is, in our minds, particularly valuable, but is only justifiable when applied to the probationary period to which every prisoner should be, for a time, subjected; its value consists in the fact of its not being injurious to health, unless when continued for too lengthened a period; in its adaptability to the character, and degree of depravity of each individual prisoner; in its capability of being equitably applied to the varied circumstances of each case; in its being preferred by the less vicious, and dreaded by the more hardened; in its deterring qualities—for the criminal cannot bear to be left to his own reflections; in its severity being easily moderated by the addition of labour, and in consequence, rendering labour an object of attraction; in its severity being readily increased as a punishment for misconduct, by the withdrawal of employment; and for the opportunities it affords for the developement of the higher feelings of the species, the correction of bad habits, and the cultivation of religious, moral, and secular instruction. It awakens the conscience; it induces self-examination: the feelings of remorse, shame, truthfulness, sympathy and social affection, are excited and aroused to healthy action; it prevents the criminal forming friendships with more hardened felons than himself, and subjects the depraved heart to the correcting influence of a better companionship.

Whatever honour is due to the first recognition of these principles, is certainly not to be paid to our neighbours on the other side of the Atlantic. From the preambles of several of the early statutes, to which we have referred; it is evident that the principle, and advantage of separating criminals from one another, were fully recognized in Great Britain, at a time long antecedent to the establishment of either the solitary or separate systems in the United States. It will be recollected that the preamble of the 16th George III. ch. 74, recites the propriety of establishing a system of "solitary imprisonment accompanied by well regulated labour and religious instruction:" this act dates so far back as the year 1776, and it was not until eleven years afterwards, in 1787, that allusion was first made to the solitary principle, by a society formed at Philadelphia for "Alleviating the miseries of Public Prisons." The establishment of the Penitentiary at Gloucester, to which we have also referred, was, in like manner, antecedent in point of

time to the earliest efforts towards a practical solution of the question in America. But while Great Britain is entitled to precedence over America, she must in her turn, yield to Switzerland, the merit of reducing to practice these important principles. Howard in 1776, states that in " those cantons he visited, felons have each a room to himself that they may not, said the keeper, tutor one another". We may here remark, that Mr Field has extracted from among the documents of the Society for promoting Christian Knowledge, certain passages which, as far as they go, certainly justify the claim of Great Britain to having early recognized the principle as a valuable improvement in prison discipline. In the year 1710 a Committee of the Society took some steps with a view to recommending a bill to Parliament " for providing separate apartments for condemned criminals;" and Mr Field further refers us to passages in *Butler's Sermons*, and *Paley's Moral Philosophy*. The question, no doubt, is one of interest, and we refer our readers to Mr. Field's arguments on this point,* and there is no part of his Work which may not be perused with pleasure and advantage; but after all, it is of not much practical importance, whether the system was originated in Great Britain, America, or elsewhere. The question for us is, have we made the best use of our knowledge and information; have we taken advantage of the light thrown upon the subject, or do we culpably adhere to erroneous principles?

Mr. Crawford's report was ordered to be printed on the 11th of August 1834; and in the following year a Committee of the House of Lords sat for the purpose of enquiring into the state of prisons in England and Wales. They embodied their conclusions in a series of resolutions, which embraced, amongst others, the following important recommendations. Uniformity in discipline; separation during the hours of labour, and silence, so as to prevent communication among the prisoners. They also recommended that the prison officers should not participate in the earnings of the prisoners; that all profits should be handed over and paid into the prison fund; that the day-room system should be abandoned; that solitary cells for the refractory should be provided, and that prisoners should be more frequently brought to trial.† Some of the suggestions above stated, were

* Field on Prison Discipline, Vol. I., p. 121.

† See Report of the House of Lords' Committee, 1835.

soon after, embodied in an Act of Parliament, (5 & 6 Wm. IV., c. 38. 23 Augt. 1835) entitled "An Act for effecting greater Uniformity of practice in the Government of the several Prisons in England and Wales, and for appointing Inspectors of Prisons." The five Inspectors, appointed in pursuance of the seventh section of the act, of whom Mr. Crawford was one of two selected for the Home District, in the following year presented to Parliament their first report, which affords a striking proof, that the existence of a Law on the statute book, however good it may be, can effect little towards the object intended, without close and active superintendance. Notwithstanding the provisions and regulations of the gaol act, and all the enlightenment of the age, the Inspectors for the Home District discovered, that in the Metropolis of the world, a prison existed in which every evil and every abuse which Howard had exposed some sixty years before, might be seen in active operation. The association of old and young, vicious and virtuous—how long to remain so!—tried and untried, experienced and inexperienced, the young beginner and the accomplished professor; with the varied host of attendant evils which we can happily only read of at the present day, disgraced Newgate in 1836—gambling, fighting, drinking, infidelity, obscenity, oppression, cruelty, misery and despair; a hideous spectacle of Satan's power over men's minds. *

In consequence of the Inspectors' report, and the disclosures made public by them, a Committee of the House of Commons, appointed on the motion of Lord John Russell, in 1836, agreed to the following resolutions:—

"1st. That it is the opinion of this Committee, that it is expedient to provide means for the separate confinement of prisoners committed for trial before the Central Criminal Court.

2nd. That for this purpose it is advisable either to re-construct Newgate, or to build a new prison adjoining the place of trial.

3rd. That the mode of carrying these resolutions into effect, with the consent of the authorities of the city, requires the immediate consideration of his Majesty's government; and, that competent surveyors should be employed for the purpose of forming a mature decision.

4th. That it is expedient to revise the Act 4 and 5 George IV., commonly called the gaol act and to give greater discretion to the secretary of state, and the magistrates of counties and boroughs, with respect to the classification of offenders."

* See Messrs. Crawford's and Russell's Report.

It was thenceforth determined that Newgate should be appropriated to prisoners awaiting their trial, and provision was made for the confinement of convicted prisoners at Millbank Penitentiary. Shortly after, the act of 2 and 3 Vic. c. 56 was passed, (17th August 1839) providing for the classification and separate confinement of prisoners in the gaols of England and Wales, as far as the means of accommodation permitted; the precise provisions of this act we need not refer to, as they are, for the most part contained in the act which was shortly after passed for the regulation of gaols in Ireland, and to which we will devote a few words.

This statute (3 and 4, Vic. c. 44, 4th August 1840) reciting the statute just referred to, whereby provision was made for the individual separation of prisoners, and that it was expedient to make provision for the like purpose in Ireland, and to amend the 7th Geo. IV. c 74, enacts, that the Board of Superintendence of any of the prisons in Ireland, might with the approval of the Lord Lieutenant, and the advice and consent of her Majesty's Privy Council in Ireland, from time to time make such rules orders and regulations for the government of prisons, "for the classification of prisoners of each sex in any such prison or prisons, or for the individual separation of all or any of the prisoners confined therein; with due regard to their supervision, religious and moral instruction and employment, with power from time to time to alter or add to such rules." The 4th section provides that separate confinement shall not be deemed solitary confinement; that no cell shall be used for separate confinement which is not of such a size, and lighted, warmed, ventilated, and fitted up in such a manner as may be required by a due regard to health, and furnished with the means of enabling the prisoner to communicate, at any time, with an officer of the prison; that no cell shall be used for such separate confinment, until its fitness shall have been certified as therein mentioned; and that every prisoner so separately confined, shall have the means of taking air and exercise at such times as shall be deemed necessary by the surgeon, and shall be furnished with the means of moral and religious instruction; with suitable books, and also with labour or employment, unless it shall be deemed advisable to withhold it for a period not exceeding one calendar month at any one time.

Though the provisions of this act are particularly valuable

and indeed, would seem sufficient to meet the requirements of an enlarged and improved system of Prison Discipline, through the power given to the Board of Superintendence to make rules and regulations, our readers will be perhaps surprised to hear, that the regulations in actual operation in the County Gaols of Ireland, if we except the Gaol at Belfast, are rules made in pursuance of the old Act of 7th George IV., passed so many years before. This result is of course to be attributed to the want of accommodation required for the purpose of carrying out the necessary arrangements; but it is *now* time that our Grand Juries should avail themselves of the powers afforded by this Act, and if the present buildings cannot be adapted to the improved system, application should be made to government for the necessary assistance, by way of loan, to be secured by each county.

We have now before us, the "Rules and regulations for the government of Tullamore Gaol prepared, in conformity with the provisions of 7th George IV. Chap. 74, by the Board of Superintendence." They are the Rules now in operation, and are perhaps as proper, as, under the circumstances of the associated system, could be adopted. * The prisoners are at present divided into the following classes:—

"No. 1. Master Debtors.
„ 1½. Poor Debtors, and persons for contempt of court on civil process.
„ 2. Misdemeanants untried, and persons confined for want of sureties.
„ 3. Misdemeanants convicted.
„ 4. Felons untried.
„ 5. Convicts for transportation.
„ 6. Juvenile offenders.
„ 7. Felons convicted.
„ 8. Tried assault cases.
„ 9. Female Debtors.
„ 10. Females 1st. class—Females 2nd. class.
„ 11. Kings' evidence."

Among the female prisoners, a different course of classification is pursued. By the 7th Rule, relating to the matrons and females, it is provided, that "in the classification of the females

* We are indebted to Robert Harding, Esq., the Governor of Tullamore Gaol, for much useful information, which he has kindly afforded us. We feel much pleasure in having the opportunity of testifying to the great industry and ability, combined with temper and kindness, (qualities which cannot be too highly estimated,) which Mr. Harding brings to the performance of his important duties.

the matron is to establish the principle of separation, not so much according to the offences for which they are respectively committed, as according to their general conduct, character, and degree of criminality, subject to the approval of the Board of Superintendence."

The principle of classification adopted among the female prisoners is, in our minds, far superior to that applied to the males; and we think in this respect an improvement might be well introduced, during the interval which must necessarily elapse before the present gaols are adapted to the separate system of discipline. The legal distinctions of crime are so very slight in the great majority of cases, that good conduct, character, and degree of criminality appear to us to be a far better rule for our guidance in the classification of prisoners, than any distinction with regard to mere legal guilt. By retaining the usual classification, we must naturaly expect to find persons whose degree of moral guilt should place them among a more degraded class, associating with those less stained with guilt. To some extent, such must be the case wherever association is adopted; but we believe that some such method, as that we have above referred to, might easily be devised. If it be applicable to female prisoners, no reason exists why it should not be extended to males, otherwise prisoners must be "continually changing places, those in for felony in one sessions being in for larceny the next, and vice versâ."

Eight cells, for the separate confinement of prisoners, have lately been established on the female side of this prison, and we shall be anxious to learn the result, though we have little doubt it will prove satisfactory.

With respect to wardsmen, the rules should be certainly altered. No prisoner is fit to have authority over his fellows; confinement in a gaol loses its deterring qualities, when we put the prisoner into an office, the duty of which will be performed by an honest man and free, for a paltry salary. The rule "that one or more prisoners are to be selected from each class," is highly disadvantageous; during a probationry period on public works, after the prisoner has been subjected to the reforming influence of separate confinement, some such arrangement might be perhaps adopted; but fancy a convicted felon, whose character, if his class be small and all its members undergoing punishment for serious offences, cannot be irreproachable, performing duties such as those imposed upon a wardsman, enjoying privileges while he is suffering the penalty of crime!

The regulations which define the respective duties of the Governor, the Chaplain, the Surgeon and Physician, and the other Officers, are, as far as they go, well advised. The duties imposed upon the Chaplains, are, however, too light; visiting the gaol and the members of their respective flocks twice in the week, is not sufficient to effect the necessary improvement in the moral and religious condition of those confined. There is nothing more important than an earnest and constant attendance to their wants in this respect; and the entire of the Chaplain's time, day after day, should be devoted unremittingly to this object; we do not of course expect to obtain the performance of additional services without affording an increased remuneration; but we must impress upon our Grand Juries the necessity of providing more liberally for the religious education of criminals, if they value the improvement of their morals, or expect crime to decrease. Expense incurred in such matters is true economy; we are too apt to prefer a moderate outlay, sufficient to meet present necessities but which at the same time is sure to be a lasting one, to a liberal expenditure which would manifestly result in permanent saving. We agree with the recommendation of the House of Lords in 1836, that a Clergyman should be appointed for every fifty prisoners; and we may also remark, that at Pentonville the Chaplain is not permitted to have any other cure of souls: the regulations relative to other matters of detail do not require particular notice, they are for the most part, inseparable from the associated system, and will be superseded as soon as better principles are reduced to practice. The prison dietary, given below, is sufficient in quantity and is well adapted to the maintenance of health.

"*February 24th*, 1851.

SCHEDULE I.—*Prison Dietary.*

	Class 1.	Class 2.	Class 3.
	Males.	Females.	Males and Females under 10 years.
Breakfast	6 oz. meal in stirabout, ¼ pint New milk,	7 oz. meal in stirabout, ¼ pint New Milk,	5 oz. meal in stirabout, ¼ pint New Milk.
Dinner	14 oz. Bread, 1 pint New Milk,*	12 oz. Bread, ⅔ pint New Milk,	10 oz. Bread, ½ pint New Milk.
Supper	—	—	4 oz. Bread, 1½ naggin New Milk.

* One pint of gruel to be substituted for milk at dinner only, on two days, with intervals, in each week, subject to medical direction, in all cases requiring relaxation of the Rule.

SCHEDULE II.—*Dietary for Prisoners whose term of imprisonment does not exceed one Calendar month.*

	Class 1.	Class 2.	Class 3.
	Males.	Females.	Males and Females under ten years.
Breakfast	8 oz. meal in stirabout, ½ pint New Milk,	7 oz. meal in stirabout, ½ pint New Milk,	5 oz. meal in stirabout, ½ pint New Milk.
Dinner	14 oz. Bread, 1 pint Oatmeal Gruel, or Vegetable Soup,	12 oz. Bread, ½ pint Oatmeal Gruel, or Vegetable Soup,	10 oz. Bread, ½ pint Oatmeal Gruel, or Vegetable Soup.
Supper	—	—	4 oz. Bread, 1½ naggin New Milk.

The prisoners included in class I., if committed for not less than two months, may, in cold weather, and if employed in exhausting labour, (should it be certified as proper by the medical officer) receive for breakfast 9½ oz. of meal, and for dinner a pound of bread or an equivalent portion of potatoes.

The meal may be Indian meal, or oatmeal, or rye meal. Rice may be used instead, but only in conjunction with meal, and then in the proportion of 2 oz. of rice to 6 of meal. Instead of new milk buttermilk may be used, in the proportion of half a pint of new milk to one pint of buttermilk.

The bread shall consist of rations of the following substances:

1. Seconds flour.
2. Half seconds flour and half Indian meal.
3. Whole wheat meal.
4. Rye.
5. Rye and Barley meal.

Provided that if rye or rye and barley bread be used, the equivalents shall be 16 oz. of rye, or rye and barley bread, for 14 oz. of wheaten or Indian meal, and also in proportion for the other quantities.

Potatoes may be substituted for the stirabout or bread, in each meal in the following proportions:

	Class I.	Class II.	Class III.
Breakfast	3 lbs.	2½ lbs.	2 lbs.
Dinner	4 lbs.	3½ lbs.	3 lbs.
Supper	—	—	1 lb.

It is strongly recommended, that as to preserve the health, variety of food is as necessary as a full supply, the substitution of potatoes at dinner, may be made, whenever practicable, twice or three times in each week."

The above statements may be taken as applicable to the discipline at present enforced with regard to prisoners confined in our county gaols. At Belfast, a gaol has lately been erected on the separate system, but sufficient time has not elapsed to enable us to speak with certainty of the results.

Recurring to the course of Legislation in England, we cannot forbear noticing the 5 and 6 Vic. cap. 29 (18 June 1842.) We owe to this act the establishment of the prison at Pentonville—the sphere of Mr. Kingsmill's useful labours; and where, according to the terms of the act, "criminal offenders may be confined and corrected, and may receive such instruction and may be subjected to such discipline, as shall appear most conducive to their reformation, and the repression of crime." It was intended, that this prison should "form the portal to the penal colony," through which, the convict, after a period of probationary discipline, not to exceed eighteen months if he behaved well and afforded evidence of his reformation, would enter upon conditional freedom in Van Dieman's land. If the conduct of the prisoner proved but indifferent, during his confinement at Pentonville, it became necessary for him after his removal to the colony, to undergo a second period of probation, under certain regulations; while if he showed himself incorrigible, "he was transported to Tasmans' Peninsula, to work in a probationary gang without wages, deprived of liberty, an abject convict"*

The government of this prison was placed under the superintendance of commissioners appointed by the crown, who were intrusted with the general control of the establishment, subject to the supervision of the Home Secretary. An act was likewise passed in the same session (5, and 6, Vic. cap. 53, 30 July 1842) to facilitate the erection and establishment of district prisons, the provisions of which were subsequently extended by the 11, and 12 Vic. cap. 39.

The following table will show the progress of legislation since the accession of Her present Majesty, and may prove of

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* See Letter of the Secretary of State, for the Home Department, to the Commissioners appointed under the Act. Field, Vol. I., p. 126.

assistance to the reader who wishes to pursue this branch of the subject more in detail.

Acts relating exclusively to Ireland.

Session.	Chap.	Date of Act.	Subject to which the Act relates.
1 & 2 Vic.	c. 6,	23rd Dec., 1847,	Expenses of removing prisoners.
3 & 4 Vic.	c. 44,	4th Aug., 1840,	To consolidate and amend the gaol acts
5 & 6 Vic.	c. 95,	10th Aug., 1842,	To consolidate the Four Court Marshalsea, Sheriff Prison, and City Marshalsea, and to regulate the discipline of same.
9 & 10 Vic.	c. 61,	18th Aug., 1846,	To amend the 7 Geo. IV. c. 74, as to Bridewells.
10 & 11 Vic.	c. 26,	11th May, 1847,	To enable Commissioners of Public Works to purchase lands for the erection of prisons at Dublin and elsewhere.
10 & 11 Vic.	c. 45,	25th June, 1847,	Removal of prisoners in case of epidemic disease.
12 & 13 Vic.	c. 19,	11th May, 1849,	To perpetuate the 10 & 11 Vic., c. 45.

Acts relating exclusively to Scotland.

Session.	Chap.	Date of Act.	Matter to which the Act refers.
2 & 3 Vic.	c. 42,	17th Aug., 1839,	Improvement of Prisons and Prison Discipline.
5 & 6 Vic.	c. 67,	30th July, 1842,	Prison at Perth.
7 & 8 Vic.	c. 24,	19th July, 1844,	To amend and continue until 1st Sept., 1861, the 2 and 3 Vic, c. 42.
14 & 15 Vic.	c. 27,	24th July, 1851,	Improvement of Prisons and Prison Discipline in Scotland.

Acts relating to England and the United Kingdoms.

Session.	Chap.	Date.	Extent.	Matter to which the Act refers.
1 & 2 Vic.	67	4th Aug., 1838,	UK	The government of Prisons in West Indies.
1 & 2 Vic.	82	10th Aug., 1838,	E	Establishment of Prison at Parkhurst, for juvenile offenders.
2 & 3 Vic.	56	17th Aug., 1839,	E	For the better ordering of prisons.
3 & 4 Vic.	25	3rd July, 1840,	E	To amend 2 & 3 Vic., c. 56.
3 & 4 Vic.	54	4th Aug., 1840,	E	Insane prisoners.
5 & 6 Vic.	22	31st May, 1842,	E	To consolidate the Queen's Bench Fleet, and Marshalsea Prisons, and to regulate the discipline of same.
5 & 6 Vic.	29	18th June, 1842,	E	Pentonville.
5 & 6 Vic.	53	30th July, 1842,	E	Establishment of District prisons.
5 & 6 Vic.	98	10th Aug., 1842,	E	To amend the laws concerning prisons.
6 & 7 Vic.	26	27th June, 1843,	E	To regulate Millbank prison.
7 & 8 Vic.	50	29th July, 1844,	GB	To extend the 5 & 6 Vic., c. 53.
9 & 10 Vic.	26	3rd July, 1846,	UK	To abolish the office of superintendent of convicts under sentence of transportation.
10 & 11 Vic.	62	2nd July, 1847,	E	Establishment of Naval prisons.
11 & 12 Vic.	7	28th Mar., 1848,	E	To amend 5 & 6 Vic., c. 22.
11 & 12 Vic.	39	14th Aug., 1848,	E	To facilitate the powers of corporation to build prisons.
11 & 12 Vic.	104	4th Sep., 1848,	E	To amend 6 & 7 Vic., c. 26, Millbank.
13 & 14 Vic.	39	29th July, 1850,	E	Regulation of Convict prisons.

The progres of public opinion, shortly after the passing of the act giving greater facilities to Corporations for the building of prisons, manifested itself, in the erection and reconstruction of many of the County gaols in England; amongst other places, at Reading, Aylesbury, Preston, Bath, Shrewsbury, Birmingham, Northampton, Manchester, Liverpool, Stafford, Wakefield, &c., &c., and as we have not, up to this point, made our readers acquainted with the course of management at present in operation in English prisons, we cannot do better than refer to the interesting work of Mr. Field. If we take up his first volume, we read thus, commencing at page 74.

"Passing through the gateway, over which the scaffold is erected when the sad spectacle of an execution is afforded, and proceeding into the court-yard, at a short distance on the left, is the entrance to the women's prison, entirely separated from the prison for men, into which the females never enter, excepting to attend divine service in the chapel; to and from which they are conducted without ever being seen by criminals of the other sex. The arrangements of this building, which contains thirty cells, with requisite accommodation in other respects, are so similar to the larger prison, that a particular description appears to be unnecessary. Again crossing the court-yard, the visitor, on being admitted within the principal entrance to the gaol, finds a descent on either side which will lead him to the basement. In this part he first observes ten cells, light and airy, and furnished with all that the prisoner may require during the first few hours of his confinement: these are called the reception cells. Proceeding from them he passes various store-rooms, the kitchen, the warder's mess-room, and reaches four cells, a number happily sufficient for their purpose. If courageous enough to enter one of them, and to allow its double doors to be closed upon him, the inmate may realize darkness as intense as imagination can conceive. These cells, used only for the punishment of offences committed within the prison, are similar in construction to those which we shall hereafter describe. The only additional, but generally very effectual punishment of confinement in them, is the deprivation of light, not one ray of which can penetrate. Ventilation is secured, and warmth, when needful, is supplied. In a space adjoining these cells are eight baths suitably constructed, and so separated from each other as to prevent the possibility of intercourse when used by the prisoners.

"Ascending from this part there is a door-way leading immediately to the pump-house, which is divided into ten compartments, in which the crank is worked by as many criminals, and moderate exercise is afforded for each. The various cisterns in the prison are thus supplied with the water required. Passing through this building, the visitor finds himself in the garden of the prison, the culture of which also affords healthful occupation to a limited number of

convicts. Here, too, are the yards for daily exercise of the prisoners, these are sufficiently large for the purpose, with a small portion covered in case of rain, and open railings at each end that a current of air may be secured. Twenty of these radiate from a centre, which is a covered room, having twenty apertures in the wall, so that one officer in attendance has the supervision of this number of prisoners; whilst the occupants of the different yards cannot possibly obtain a sight of each other. A bird's eye view of this building closely resembles a carriage wheel; the officer's watch-room being represented by the centre, and the spokes being similar to the various walls of separation.

"Supposing the visitor to re-enter by the same door as at first, he is again on the ground floor of the building. On his right is the office of the clerk, and an opposite passage will conduct him to the debtors' prison. This is composed of two wards, occupied by the prisoners during the day, and twenty small rooms, one of which is assigned to each for his sleeping apartment.

"Passing a staircase by which the debtors and female prisoners enter the chapel, the next door opens into the 'visiting room.' This is divided into three compartments, separated by iron rails. The prisoner when visited is placed on one side the friends on the other, whilst the officer in attendance occupies the middle space, by which means all improper intercourse and the conveying of any article to the prisoners, is prevented. Next are rooms for prisoners to consult their legal advisers, &c., and the governor's office, one window of which overlooks the central hall, into which, through a glazed door, the visitor is now admitted. This is an open space with a lofty dome, on the ground floor of which are entrances to the visiting Justices and committee rooms, and over them the rooms of the chaplain and surgeon, whilst projecting over the doorway is the office of the deputy governor, from which he has the supervision of nearly the whole prison. Three wings diverge from the centre, consisting of wide passages with rows of cells on either side, and a large window at the extremity of each. About the middle of each wing rises a light iron staircase, somewhat resembling the cordage of a ship, so constructed as not to intercept the view. By these the prisoners ascend to the corridors, consisting of two stories of cells, opening into narrow galleries which project a short distance from the walls, leaving the arched roof visible throughout.

"On entering a cell it will be found light, sufficiently large—being 13 feet in length, 7 in breadth, and 10 in height, thoroughly ventilated, and of healthful temperature, (54 degrees Fahrenheit). Each is furnished with a small table and stool; shelves, on which are seen a pewter plate, a cup, and other requisites; a drawer, containing various articles necessary for cleanliness; and under this hang the prisoner's brushes, coverings for his knees when cleaning, &c. On the top of these shelves is a roll fastened by a strap. This is the hammock, composed of cocoa nut fibre, and enclosing a small mattrass with other bedding, enough for the comfort of the prisoner. When prepared for use, this is swung across and secured by iron fastenings in the side walls of the cell. Projecting from one corner

is a small cistern, from which pipes are laid on to a copper bason, and a sufficient supply of water is afforded for washing and other purposes, so that any necessity for leaving the cell is prevented. A gas burner is also seen over the table, and four cards are suspended along the walls, one containing extracts from the prison rules, another some particulars of the prisoner, the nature of his offence, the term of his imprisonment, &c.; the third is an appropriate form of morning and evening prayer; and the fourth, a short exhortation to say grace before and after meat, with a suitable form. Every apartment is also furnished with a bible and prayer book, besides such other books and tracts as the chaplain may consider adapted to the prisoner's state of mind, or likely to prove of advantage to him in the future circumstances of his life.

"Under a system of separate confinement it is most important that every culprit should have the power of calling for immediate assistance if required. A handle, by means of which a large bell is struck, is accordingly provided in each apartment, and by an ingenious contrivance the same turn of the handle causes a small bracket, on which the number of the cell is inscribed, to fly out from the wall, so that the warder on duty sees at once where his attention is desired. In the door will also be observed a locked panel which is opened to supply the inmate with food, &c., and above this is a small glazed aperture, through which the prisoner may be watched at any time, while a covering of dark wire gauze within prevents his knowing when he is the object of inspection. The locks, too, are so constructed as either to project a bolt which must prevent the door being closed, or when it is intended to fasten them from without, by touching a spring, this is effected in a moment.

"From the uppermost corridor there are two entrances to the chapel, which next claims our attention This edifice is so arranged that, whilst all can unite in divine worship, the plan of separation is carefully preserved. To this end rows of pews or stalls are constructed one above another. These rows are filled successively, but each prisoner as he enters closes the door of his pew before the next is admitted, and a common bolt secures the whole row when filled. It is also contrived that the shelves of the higher tier should conceal the heads of the persons occupying those below. Thus prisoners are prevented seeing each other, and in order to check any attempt to converse, seats above these pews are filled by six of the officers during all the more public services. Below these secluded rows are open seats provided for debtors. It will be observed that all the pews radiate in such a manner that the pulpit is visible from every one, and of course all the occupants may be seen by the chaplain when officiating. Near the desk a gallery is erected, containing pews for the governor's and chaplain's families, and additional seats for other officers of the establishment."

We hope, at no distant period, to see prisons of similar construction established in every county in Ireland. Let that at Reading be selected as the model, and we venture to assert, that if gaols, similar in constitution and similar in disci-

pline were generally established, we might, without fear of disappointment, predict a rapid diminution of crime.

The prisoner having arrived at the gaol, and undergone the scrutiny and examination of the surgeon and other officers, is submitted to the healthful and cleansing operation of a warm bath; he is then clothed in the prison uniform, unless in the case of those who have been committed for trial, and who are permitted to wear their own clothes, if they desire to do so. On his way to his cell, the prisoner is informed of the rules and regulations of the gaol, of the folly of resistance, the penalty of misconduct, and the inducements to propriety and reformation, are pointed out. Prisoners committed for trial are confined in a different part of the establishment from that in which the convicts are imprisoned:—

"The prisoner having been called from his bed at 6 o'clock," writes Mr. Field, "dressing, the arrangement, and cleansing of the prisoner's cell, &c., may occupy about an hour and a half; he has, therefore, before breakfast, and during the interval of breakfast and attendance at chapel, a considerable portion of time at his own disposal. This is generally spent in preparing some lesson for the schoolmaster, which the prisoner has been recommended, but not compelled to learn.

"9h. 15m. a.m.—At this time the prisoner will attend Divine Service in the chapel. The service consists of the greater part of the appointed morning prayer, the psalms for the day, and a short exposition, either of the lesson, or of some other portion of Scripture. As a means of insuring attention, it is the practice of the chaplain to question the prisoners on the subjects particularly referred to when he afterwards visits their cells.

From 10 till 11, a.m.—The prisoner will either be taking exercise in the airing yard, or will be employed at the pump.

From 11 till 12 a.m.—On alternate days great part of this hour will be passed in receiving instruction with a class, from the chaplain. At this time, attention is directed to subjects of morality and religion, which can be illustrated and explained in a more familiar manner than would be consistent with the solemnity of Divine Worship; and the advantages of catechetical instruction are also afforded by this attendance in class. It is often found that the ignorant learn more from the simple answers of their equals, than from any explanation of their superiors, and a habit of attention is also thus induced. On days when the prisoner is not thus occupied, this hour is spent either in cleaning the prison, or with some employment in his cell.

From 12 till 1 p.m.—Dinner, &c.

From 1 till 3 p.m.—The prisoner, if unable to read, will during part of this time, receive instruction in class from the schoolmaster. He will also be visited in his cell by the chaplain twice in the week, and the intervals between the instruction thus given will be spent at the work which has been allowed.

From 3 till 4 p.m.—Some exercise in the open air.
From 4 till 6 p.m.—Visited by the schoolmaster in his cell; lesson repeated, and privately taught writing, arithmetic, or some instruction calculated to improve the mind, or to be of advantage in future life; intervals occupied as above.
Six p.m.—Supper. The remaining space until bed time allowed for mental and moral improvement exclusively."

With the untried, the discipline is of course different, and if provision was made for their daily exercise in the open air, we would have nothing to object to the course adopted. We cannot, however, approve of confining the prisoner day and night to one apartment, without permission to "leave it at any time, except for the purpose of attending divine worship in Chapel." In other respects, the prisoner enjoys as much liberty as is possible in a state of confinement; he is daily visited by the Governor, Chaplain, Surgeon, and other Prison Officers. The prisoner enjoys the privilege of seeing his friends; he has every facility for consulting with his legal adviser; he may send and receive letters; he is permitted to have unobjectionable books; he may receive suitable articles for food, and he has the option of any employment that can conveniently be furnished to him; he is exempted from all discipline that is calculated to create irritation; he is tempted to commit no violation of prison rules, and he is thus spared the infliction of prison punishment.

In this way the prisoner is kept free from the contamination of vice; and leaves the gaol, if acquitted, improved, or at all events, in a moral point of view, no worse, than when he entered it; and thus we discharge one portion of our duty to the individual himself. There are some who regard the confinement of the untried in separate cells, as contrary to that valued maxim of constitutional law which presumes the innocence of a man accused of crime until he be found guilty by the verdict of his peers; but *practically*, no injury is done, or violence offered to this principle. We do not seek to punish, we seek to *prevent contamination*; for which purpose, we adopt a course, the benefit of which in many instances has been acknowledged by the prisoners themselves; Mr. Field gives us one instance out of many:—

"A man of very respectable appearance called upon me to-day (July 25, 1847), whom I did not recognise until he told me that his name was ———. He was in prison about twelve months since, on a charge of horse stealing; but after two months' detention he

was discharged, "No Bill" having been found against him. With much feeling he said, "I am come to thank you for the instruction I received; it was the best thing that ever happened to me, my being sent to prison, for I knew very little before of what was right, and was going on very badly, and that stopped me." This culprit had been, before his committal, a man of most dissolute habits. Although he had received a better secular education than most, yet he could not repeat the Lord's Prayer, and new very little of any religious truths."*

If our laws permit and sanction the confinement of persons who may be innocent, until an opportunity of trial is afforded, the question becomes a mere choice of difficulties. We must, of necessity, imprison persons accused of crime if they cannot obtain bail for their appearance when called for; and humanity and justice require that we should remove every source of debasement, and tenderly guard their morals. Mr. Field truly remarks, that we are not to consider whether a wrong is done to the person committed for trial—such is necessary by the very nature of things—but whether on the whole, one species of confinement is accompanied with less evil than another. Surely it is better to offer some little violence to the sensitive feelings of men who agree with Lord Nugent in his views on this subject, by departing from theoretical principles, when positive good is the result, and no true principle of law or right is infringed or violated. The fact is, and experience every day teaches us, that separation is regarded as a boon by those not altogether abandoned to vice, or who are still in a measure well disposed. The highest authorities also agree in recommending the adoption of separate confinement for persons committed for trial. The committee on Secondary Punishments, appointed by the House of Commons in 1832, recommend it; the opinions of M. Ducpetiaux and M. L'Abbé Larogue, are to the same purport; Mr. Crawford adopts a similar view in his report on American Penetentiaries before alluded to, and subsequently, in his report as one of the Inspectors appointed under the act of 1835, again urged its adoption; Mr. Hill, the Recorder of Birmingham, of whom efforts in the cause of reform we cannot speak too highly, has also given evidence in its favour, before the select Committee of the House of Lords, on the execution of the Criminal Law; he said,—

"With respect to untried prisoners, it would seem that all that Society has a right to do is, to take means to have them present for their trial; but it is bound to take care not do them a moral injury by forcing them into evil associations."

* See Vol. I., p. 144.

The question was brought before the House of Commons in in the year 1848, on a motion by Lord Nugent for liberty to bring in a bill to repeal so much of the 2 and 3 Vic. c. 56, as gave power to inflict separate confinement on prisoners committed for trial: after a full discussion, the motion was withdrawn, Sir G. Grey and other men, of weight and ability, having ably refuted its fallacies. In this respect, the tone of public opinion has undergone a happy change; and we trust the objection has now been set at rest, for ever.*

The Bible is the instrument which Mr. Field employs in the instruction of the prisoners, whether he labours to reform the tendencies of the mind, or to encourage habits of industry.

Mr. Field has discoverd that the accomplishments of reading, writing, and arithmetic, are not sufficient to reform men's morals: he therefore provides that every lesson shall be based on the origin and source of all truth. If he desires to inculcate the duty of industry, he is not content with pointing out the evils which human laws and worldly interests impose, if it be neglected—but he proposes to the convict the question, "why should I be industrious?" hands him his Bible, and leaves him to his own reflections in his solitary cell. The following passages were written by one of the convicts to whom the above question was proposed:—

"WHY SHOULD I BE INDUSTRIOUS?

God never made man to be idle.
Gen. ii. 15.

The industrious man shall be rewarded.
Prov. xii. 11. Prov. xxvii. 23—27.
" xii. 24. " x. 4.
" xxii. 29. Luke xix. 12—22.

Poverty and want will follow the idle man.
Prov. xix. 15. Prov. xx. 4—13. Prov. xxiii. 21.

An idle man is sure to get into mischief.
2 Thes. iii. 11—12. Eph. iv. 28.

He is injurious to his fellow-man.
Prov. x. 26. Prov. xviii. 9.

A lazy man is a foolish man.
Prov. vi. 6, 11. Prov. xxiv. 33, 34.
" xxvi. 13, 16. Prov. xix. 24. Prov. xxii. 13.

A man is unhappy when he is idle.
Prov. xv. 19.

* See The Times, 11th Feb., 1848.

An idle man does not love his neighbour as himself; our duty to our neighbour is, not to covet or desire other men's goods, but to learn and labour truly to get mine own living; and to do my duty in that state of life into which it shall please God to call me.

An idle man is not a Christian, although he may be called one. Rom. xii. 11, 17. 1 Thes. iv. 11, 12. 1 Tim. v. 8."

Other interesting examples are given, of answers to the questions, In what sense is God our Father? Why should we not frequent public houses? Why should we always speak the truth? &c. *

The reader will not be surprised to hear that, under such a course of discipline, prisoners have been, in many instances thoroughly reformed, in all improved; and that the results, in other respects, have proved equally satisfactory. With respect to the county of Berks, the following table exhibits the improvement which at once took place on the introduction of the new system, in the number of committals for all offences. The first column represents the average per annum of five years before the new system was introduced; the second, the average of the three years after its establishment.

Committals on charge of Felony	114	95	Increase	19
Committed on charge of Misdemeanor	19	16	„	3
Convicted Felons	174	150	„	24
Convicted Misdemeanor and Summary Conviot	358	363	Increase	5
Assaults	71	70	Decrease	1
Game Laws	103	68	„	35
Vagrants	137	102	„	35
	976	862		114

Decrease 114—Increase 5—Total Decrease 109.

The number of all cases which, in 1844, amounted to 1154, decreased to 1002 in 1847; and in 1853, further declined to 701, and a fact to be regarded is, that the diminution is not confined to one class of criminals alone, but exhibits itself in each.

With respect to the physical condition of the prisoners, the following table speaks highly in favour of the separate system, nor must it be forgotten that one of the objections chiefly relied on against the system is, its alleged injurious effects on health.

* Field, Vol. II., p. 122, 123.

	Prisoners Associated.				Prisoners in Separate Confinement.			
	1840	1841	1842	Average.	1845	1846	1847	Average.
Number of Prisoners.	720	633	665	672	683	664	877	741
Slight Indisposition.	372	337	345	351	128	159	101	129
Infirmary Cases.	85	86	70	80	8	8	13	10
Cases of Death.	12	4	5	7	1	1	1	1
Total.	469	427	410	438	137	168	115	140

Again, with respect to Insanity, the reports are equally favourable and gratifying. Mr. Perry, one of the inspectors of prisons, states—

"The places of confinement in the Southern and Western districts are eighty in number, (at the time he wrote,) of which seven are conducted on the separate system. In the year from 29th September, 1844, to 26 September, 1845, the daily average of prisoners in the whole eighty places was 4361—in the seven on the separate system it was 644. Thirty-seven prisoners were affected with insanity, in nine of whom the symptoms first shewed themselves during the period of their imprisonment; *but of those nine not one occurred in the seven prisons on the separate system.*"

The reports, from other quarters, are also highly satisfactory: so that we may safely conclude that the separate system, conducted on reformatory rather than deterring principles, is as *little* injurious to health, while it is *far more* conducive to good morals, than any other system in existence; indeed, it is alleged that the proportion of cases of mental derangement among British soldiers, quartered either on the shores of the Mediterranean, or in the cold climate of Canada, is not *exceeded* by the proportion of cases which occur among prisoners subjected to the discipline of the separate system.

We have not been able to obtain certain information as to the accommodation our gaols afford for the purpose of separate confinement. The discipline is chiefly, we might almost say altogether, confined to those convicts who are sentenced to transportation, or long terms of imprisonment. In Ireland, at all events, it is not applied to persons committed for trial, or those prisoners who are usually confined in the County gaols. Arrangements have been latterly made for the reception of a small number in each prison, to be dealt with according

to the separate system, but to so small an extent, that no great practical good can be expected: the machinery requisite is so entirely different from that in use under the present system, that it can be hardly said to afford a fair trial.

The following table shows the amount of accommodation at the disposal of Government, and the distribution of the convicts, for the year ending 31st March, 1853:—

Prisons for separate confinement.

Millbank	1160		
Pentonville	561		
Wakefield	412	Cells in County or Borough Prisons rented by the Government.	
Preston	50		
Leeds	50		
Leicester	112		
Northampton	60		
Bath	24		
Reading	40		
Bedford	70		
Perth	180	For Scotch prisoners.	
			2659

Prisons and Hulks for Public Works.

Portland	1070	
Portsmouth	1020	
Dartmoor, able bodied	650	
Hulks at Woolwich "Defence"	530	
Hulks at Woolwich "Warrior"	450	
		3720
Parkhurst (for Juveniles)		625

Invalid Depot.

Dartmoor	626	
Stirling Castle Hulk, Portsmouth	400	
		1026
Total in England and Scotland		8030
Ireland, including Males and Females		5246
		13276
Females at Millbank		200
		13476

The following Table shows the number and disposition of convicts in Ireland, on the 1st January, 1852, and 1st January, 1853, respectively:—

Depots.	January 1st, 1852.	January 1st, 1853.
Smithfield, - - - -	304	312
Newgate, - - - -	238	300
Mountjoy, - - - -	453	493
Spike Island, - - -	2257	2085
Philipstown, - - -	—	35
Ennis, - - - -	305	269
Maryboro', - - -	—	73
Grange Gorman, Females, -	75	187
In Gaols, - - -	469	477
	4101	4231

From the foregoing account of the past and present condition of our gaols, we doubt not but that the reader feels an interest in the important subject of Prison Discipline, and that ere now, he has asked himself the question, what course are we bound to pursue for the future? If the enquiry should be made by one who takes a deep interest in the subject, he will find abundant source for earnest reflection and careful enquiry in the various works which now lie before us, and which we have placed at the commencement of this paper, and we earnestly invite his attention to a consideration of their contents. We conceive it, however, to be our duty, as we have not taken up the subject for the mere purpose of attracting the attention of the *general* reader, to make a few remarks on some matters of detail which appear to us to be of peculiar importance, and in respect of which the present systems of punitive discipline might be modified and changed for the better, in order to add our evidences to the cause of true and sensible reform. It will be admitted, on all hands, that the course in which we have been lately progressing, is in the right direction; while at the same time, few will be found hardy enough to assert that we have arrived at perfection, or that the system at present in use might not be improved. Experience, our great instructress, from day to day suggests alterations; and we may naturally expect, from the recent changes which have taken place in the laws connected with the subject, that more real improvement will be introduced during the next five or ten

years, than has been carried into effect during the last thirty. But we anxiously desire that the knowledge *we do* possess may be applied more generally than it is. The most discouraging feature in the case is, to our minds, the fact that notwithstanding the great amount of knowledge which does exist, improvements are postponed to avoid a trifling expence; and a disinclination to incur the necessary outlay exhibits itself, while abundant means are easily procured—where there is a will there is a way also—and lavishly expended on objects of but doubtful advantage and importance. We confess, we have but little patience, and far less inclination, to argue the question on such grounds;—to reduce to the standard of pounds shillings and pence, the heaven-born principles of benevolence, brotherly love and patriotism; to calculate to a nicety, the value of souls capable of being vested with immortality and the enjoyment of everlasting felicity; to fix the exact limit, in a circulating medium, to which the desire to benefit our degraded fellow countrymen shall extend, and beyond which, to the value of a farthing, the national purse shall be closed—away with such base and selfish economy! Yet it is an unquestionable fact that numbers of persons *do* exist, to whom a comparatively unimportant outlay would prove an insurmountable obstacle. Fools, they forget—

"That the cost of prisons and punishments, which instead of reforming the character and repressing crimes, tend rather to contaminate the innocent and to harden the offending, must be altogether worse than wasteful. It is an outlay by which the very evils are produced which it is the avowed purpose to prevent. The very expenditure creates a further demand. On the other hand, a system which acts both as a preventive and corrective punishment, not only affords satisfaction by accomplishing the end proposed, but as a necessary consequence, the expenditure must decrease. This will result in various ways. There will be a diminution in the number of committals and re-committals, and therefore in the cost of maintenance, &c. The number of prosecutions will also be lessened; and in another important respect, a considerable saving may be effected. When it was proposed to introduce the separate system into France, and to build prisons accordingly, one argument used by the minister of the interior was, that although the cost of construction would be greater, yet since, in determining the duration of punishment, what was added in severity would be taken into account, the contracted term would cause a decrease in the expense. I feel sure that this principle may with safety be acted upon with respect to long periods of imprisonment. For instance, the criminal, whose offence might, under other discipline, have demanded a punishment of two years duration, may, when punished by this means, be sentenced to an imprisonment of twelve or eighteen months. The increased severity

will afford equal satisfaction of the violated law—(if the vindictive principle be recognized)—correction, I believe, will generally be effected in that time, and as an exemplary punishment, its power in deterring the vicious will be more effectual on account of the increased dread with which it is regarded." *

Fools, we repeat, blind fools,—whose narrow intellect and selfish parsimony, renders the perception of their own interest impossible.

We pass from the consideration of this topic to one of much greater importance, viz., the value and propriety of enforcing labor as an element in prison discipline. We strongly object to the addition of "hard labor" being added to the sentence imposed upon convicted felons. It is a part of that old system to which public opinion clings with tenacity, and is generally justified, as being an aggravation of the punishment inflicted, and as possessing additional deterring qualities. Now, not only is this *not* the case, where the separation of prisoners is the course adopted, but it is contrary to all principle, and completely interferes with the necessary arrangements of an enlightened system of prison discipline. In addition, it is *unjust*, for it is impossible to adapt the amount or regulate the quantity, whether the treadmill or the crank be made use of, to persons whose physical strength and ability may vary. We will now shortly notice each of these particulars; and firstly, the compulsory imposition of hard labor, of whatever kind it may be, is contrary to the principles which should actuate us in punishing the criminal, provided we desire, at the same time, to reform him. Idleness, and a hatred of labor, are chiefs of the great sources of crime. When Adam forfeited the enjoyment of Paradise, God pronounced upon man the curse, "In the sweat of thy face shalt thou eat bread." He established the law, that man must labor for his subsistence—a law universal in its application. When industry slackens—want, poverty, debt, drunkenness, and crime follow; and the curse falls, not only on the guilty party himself, but generally, also, on his wife and children. Idleness is, therefore, doubly cursed. Whatever, then, tends to make labor distasteful must indirectly promote vice; and to diminish crime, industry should be made attractive. When we *compel* the prisoner to labor, we arouse to activity that innate principle of resistance which is common to all mankind, and thereby teach him to regard his approaching freedom as a period of ease and indulgence, not as affording the opportunity of obtaining an honest indepen-

* Field, Vol. I. p. 92.

dance: Mr. Field, in the appendix to a valuable sermon preached at Oxford, during the Lent assizes of 1853, thus refers to the evils of compulsory labor:—

"Not merely as failing to correct the criminal, but as creating an aversion from that with which we desire to associate feelings of pleasure and advantage. Reason and experience would protest against such a plan, as subversive of industry, and as surely producing crime. A desired habit can only be formed by a succession of *voluntary* efforts, but the natural effect of force is to excite an antagonistic impulse. Hence the forced and penal exertions of the criminal were attended by a longing for ease; and whilst a succession of *involuntary* acts increased the repugnance to labor, a love of indolence was induced, and the dishonesty needful for its indulgence was thus promoted."

To the same effect was his evidence, before the Select Committee of the House of Lords, on the execution of the criminal law in 1847. In answer to quære 1584, he remarks; "I am sure, therefore, that industry and consequent honesty will never be promoted by compulsory labor." The great thinker, Paley, also recognizes the impropriety of this course of discipline, when he remarks in his, *Moral and Political Philosophy* "as aversion to labor is the cause from which half the vices of low life deduce their origin and continuance, punishments ought to be contrived with a view to the conquering of this disposition."

Secondly; hard labor does not, in point of fact, prove so deterring to the guilt-stained criminal as separate confinement. The truth of this has been abundantly proved by experience, and the following extracts ought to convince the most sceptical:—

"The remorse which preys upon the spirit of the prisoner is beyond comparison more distressing than the most laborious occupation with which the body might be oppressed." *Field, vol. i.* 166.

"Punishment will generally appear dreadful to them as the means of avoiding consideration are prevented." *ib.* 167.

"I may state, then, that after the committal of a prisoner rarely does the day pass but he begs for some employment; he cares not what his work may be, provided some may be permitted." *ib.* 176.

"The Governor of Brixton House of Correction states—'I have made a practice of examining such of the prisoners in my custody who have from time to time undergone both tread-wheel labor and solitary confinement, before their departure from prison, as to their estimate of the comparative severity, and have without a single exception, always found that they considered the latter to be most severe, and that they would prefer a longer period of hard labor to a

shorter one of solitary confinement. This has been the universal answer.'" *ib.* 178.

"Having examined the prisoners, it was their uniform observation, that they would not come there again; and one of them said, 'He would rather be on the tread-wheel from sun rise to sun down than be confined as he was to his cell.'"*

The conclusion at which Sir T. F. Buxton arrived, after his visit to the Penitentiary at Millbank, is to the same effect. Mr. Crawford, to whose writings we have already alluded; Mr. T. C. B. Estcourt, Lieutenant Hacket, at one time governor of Reading gaol, and various others, who have had the very best opportunities of testing the merits of both systems, have formed the same opinion.† In the evidence of Mr. Merry, before the Committee above mentioned, a curious fact, indicative of the deterring qualities of separate confinement, is stated. After mentioning that the superiority of Reading gaol consists in the adoption of corrective instruction, rather than the application of hard labor, he informed the Committee that a case came under his observation where a prisoner, on his re-committal, alleged he had committed the offence thinking he was out of the county of Berks, or he should have taken care not to have done it.

"4927. So that you have seen yourself instances where though it did not usually cure the man, yet it was eminently distasteful to him?

"Yes.

"4928. More so than the hard labor?

"Yes.

"4929. And you consider that this would make it less deterring?

"Labor will necessarily diminish the success of instruction.

"4930. Is it your impression from what you have seen that the adding hard labor to that system would make it more or less distasteful?

"I think adding hard labor would make it less deterring. I was in Gloucester Gaol this last winter, and there I found an instance of a young lad who had been committed, and insisted that he was fifteen for no other reason than that he might be allowed the *privilege* of leaving his separate cell to go upon the tread-mill."‡

A third objection to the infliction of compulsory hard labor, is the great difficulty which must always exist in apportioning to each prisoner an equal amount of punishment, having a due regard to the several attendant circumstances of physical strength and bodily infirmity. In gaols, where according to the rules

* Inspectors of Prisons Third Report, p. 38.

† Adam Smith, in "The Theory of Moral Sentiments," expresses the like opinion.

‡ Field, Vol. II. p. 196.

and regulations a certain number of hours during each day must be occupied in hard labour, and every prisoner who is not prevented by sickness or other unavoidable necessity, is forced to perform a given task, it is manifest that what may prove comparitively light and insignificant to one, may become cruel and insupportable to another; or if the duty be imposed upon the gaoler, to fix the duration of each man's labour so as to equalize the pain endured by all, what safe-guard can we take, that a duty requiring such delicacy of judgment and integrity of purpose, will be faithfully performed? The immediate effect too of *useless and unproductive employment* upon the minds and health of prisoners, is beyond all question injurious: when the prisoner becomes conscious that the labour in which he is engaged is useless and valueless, he regards his punishment as solely vindictive; his mind sinks into a state of hopeless apathy; he becomes irritable; his physical strength, intimately connected as it is with the healthy condition of the mind, deteriorates; his frame becomes emaciated, and when discharged, he is physically unable to work for his subsistence. Experience has proved the result, which common sense would lead us to conclude; and we have little doubt that the satisfactory statements which have been afforded of the health of prisoners confined in Reading Gaol, is largely attributable to the fact, that the hard labor system has been abandoned in that prison, in justifiable disregard of the sentences imposed. * Here, as in all other places, the valuable remarks of Mr. Hill, the Recorder of Birmingham, in his charge to the Grand Jury of that Borough, in 1853, demand insertion, and the most deep and respectful considerations :—

"In determining the labour most desirable for the prisoner, we must bear in mind that one great object being to raise his aspirations, and gradually to produce a feeling of self respect, there should be nothing in his ordinary treatment to interfere with such a process. I therefore consider it essential, that the employment should consist of labour which produces a useful result. If the labour be, commercially speaking, profitable, and known by the convict to be profitable, so much the better: even if it yield no profit to the managers of the prison, but on the contrary, entail some slight pecuniary burden, still it is of such importance to form habits of willing industry, that it would not be wise to be scared by such a loss. That no such loss need be sustained, and indeed that prisoners may be employed so as to reduce, if not extinguish the cost of their sustenance, lodging, and guardianship, there is abundant evidence to

* See Field, Vol. II., p. 86.

prove, and it is obvious that the recent advance in the price of labour gives new facilities to such undertakings. For many reasons, it is fortunate when agriculture can be made one of the main employments of prisoners. With regard to those confined in the Birmingham gaol, such an application of their labour is not possible: but surely many handicrafts may be found, if diligently sought, and if the prejudice against turning the labour of prisoners to profit were exploded from the minds of the managers. That it can be advantageous to society to prevent any of its members from earning their subsistence, whether such members are in confinement or at liberty is a paradox against which our common sense revolts, and which has been too often exposed to justify my occupying your time further on such a topic."

To the same effect is the opinion of Mr. Geare, Chaplain to the gaol at Abingdon, who in his report to the Visiting Justices, dated, October 15, 1853, writes as follows:—

"After the lapse of a few months some healthy stimulus should be applied to the mind of the prisoner, and this can only be done, as I conceive, by putting within his reach some kind of employment, which shall call out his energies much more than Oakum picking, or pounding Gypsum. In default of this I have observed in this prison, where no such provision is made, that the minds of the prisoners stagnate after a certain time, their first feelings have subsided and become blunted, the school duties become monotonous to them, they are wearied, dispirited, and the punishment is to them a source of prolonged irritation, truths frequently inculcated and well known, cease to interest or impress. They appear slow to believe any profession of interest for their welfare. Under the purely penal system all of course must be endured; but aiming as we do at the re-establishment of their principles and characters, we have to deplore this state of mind as exceedingly injurious. * * * It were most desirable if possible that some mode of employment be provided over and beyond what this gaol now supplies."

In addition to the important objections we have glanced at above, compulsory labour is inapplicable to the improved system of separate discipline. The great object to be kept in view, is the endeavour to elevate the mind, the habits, and the tastes of the prisoner: "excelsior" is the motto we should place before him, and all our efforts should be directed to this desirable end. When the prisoner returns, a convicted felon, from the Court-house to the gaol, he should be conducted to his cell and left to the solitary reflections of his own mind, undisturbed by employment, and unbroken save by the occasional visits of the chaplain. It is here that his reformation must first commence. Left to himself, without labour, without employment, his mind thrown back upon

* See Report—pp. 11, 12.

itself, must necessarily recur to the events of his past life, his course of guilt, and the results his conduct has entailed; thoughts of home, of distant friends and early associations, will most probably be revived, and after a time, longer or shorter according to the character of his past life and moral condition, he will become fit to receive the affectionate advice and instruction of the Chaplain. An acknowledgment of his guilt, and a regret for his misconduct, will afford the first tokens of improvement. Some amount of elementary instruction, if such be necessary, and the permission to occupy himself with serious and instructive books suited to his condition, should next be permitted, for a period, regulated by the signs of repentance and reformation he may exhibit; then, and not till then, however earnestly it may be previously solicited, should employment be afforded. In regulating the daily period during which employment may be permitted, regard should be had, and care should be taken, that it shall not operate to the exclusion of his religious and moral instruction, which should ever form the *first* object of regard, to the moment of his discharge; and therefore such employment should not be allowed to interfere with those hours which should be set apart for reflection.

The *object* of employment should be to banish that despondency which is so likely to arise during a lengthened period of separate confinement, and to encourage whatever determination the prisoner may have arrived at, to acquire for himself a character, and to abandon the vicious habits of his past life. Under no circumstances however, should employment be permitted until the first step towards improvement has been exhibited by the prisoner; and he should be made fully aware that such employment has been afforded to him as a reward for his good conduct, and will be at once withdrawn in the event of a relapse. The employment, *in its nature*, should be adapted, as far as possible, to the line of life in which the prisoner moved, previous to the commission of his offence; or such as will enable him to earn an honest livelihood when discharged from gaol. It should also, as far as possible, be left to his own choice, subject of course to the necessary condition that the employment selected may be conveniently followed in the separate cell. If the prisoner, under the altered circumstances of voluntary labour still continues to show himself worthy of confidence, and justifies the opinion theretofore

formed of his desire to amend, a further step in advance may be taken, by permitting him to associate, for the purposes of labour, with a small class, composed of those who have attained to a similar degree of comparative excellence with himself, and whose offences were of a like nature in point of moral delinquency. In such classes each member should be made responsible for the faults of the little community to which he is attached; and by this means social principles will be, by degrees, encouraged, and an interest in the good conduct of each fellow prisoner promoted. Thus, by enabling the prisoner to gradually rise from the degraded and painful position in which he first finds himself on his introduction to his cell, and by his own exertions and good conduct to acquire indulgences, which he is liable at any moment to lose by misconduct, we cultivate and nurture, we sustain and elevate, every moral and social virtue. Captain Maconochie, in his pamphlet on *Reformatory Prison Discipline*, enters fully into the details requisite to carry out these views. For the details themselves we must refer our readers to the excellent pamphlet of a much maligned, and misunderstood man, but the following extract will show the groundwork of the proposal:—

"The elementary and indispensable step to be taken, then, as I think, in improving prison management, and making the punishment of imprisonment at once formidable outside and improving within, is to make the accommodation and comforts allowed in prisons *of right*, the worst possible, consistently with proper seclusion, decency, and support of life,—but to enable good conduct and exertion to acquire better and better, as they are progressing more and more signally and steadily displayed. Thus, in the beginning, I would allow nothing but the coarsest brown bread and water for diet, without artificial heat, gas light, or bedding beyond a rope-mat and blanket, or accommodation of any other kind beyond the indispensable, in separate cells, visited from time to time by the Clergyman and Officers of the prison, but by no other, and with only some means of cellular labour for company or employment. In this stage all should remain till they had undergone a fixed probation, performed so much work, and otherwise complied with every prison requisition; and the task though graduated according to strength, shall in every case be made a hard one, the object being to stimulate exertion by a strong motive. The first removal should then be to another stage, in which a little more comfort should be given, but still with a reserve suited to maintain the impulse thus once imparted; and thence to a third, and fourth, and so on, always on the same plan. But for each misconduct should return again to a lower, or even the lowest position, according to its degree. As exertion and self-command had raised, so must these continue in order to sustain.

"And here, then, I might almost stop, for in the introduction into our prisons of rewards for good conduct, as well as extra punishments for bad, is involved the principle of nearly all the suggestions that I have ever offered on the subject. An upward tendency, I contend, would be thus given to prisoners' minds—a looking to their own specific exertions, and not to mere submission or evasion in order to improve or make their position tolerable—on which tendency, progressingly, almost any amount of better feeling and purpose may rationally be expected to be founded—with, at the same time, a demand for exertion, and an amount of hardship involved, with which, as leading to a beneficent end to the individual himself on whom it is inflicted, public opinion would readily sympathise, which it would not do with an equal amount of suffering without such end —and to which, notwithstanding the unreclaimed and unregenerate mind outside, little appreciating the ultimate benefit, would look with unmixed aversion."

We differ from Captain Maconochie, in only one respect, viz. where he expresses an opinion that the prisoner should be detained in the first stage, until a given task should be fulfilled, and a certain quantity of work performed. We regret this the more, because Captain Maconochie's experience at Norfolk Island and elsewhere, entitles his opinion to great weight; in some other respects the details might perhaps be altered for the better, but we cordially adhere to the general outline suggested; we believe it to be the true means whereby crime may be checked, and the prisoner corrected

The principle has in a measure been recognised in Scotland, by the rules sanctioned by the directors of the General Prison Board, framed in pursuance of the 14 & 15 Vic. c. 27, which states that—

"Instead of being furnished with the hammock or bedstead, all convicted criminal prisoners, excepting any whose age or infirmities would, in the opinion of the Governor and Surgeon, render it unsafe, shall *for the first month* after conviction, or for the whole period of sentence where the duration of sentence is less than one month, each be required to sleep on a wooden guard bed, a sufficient quantity of covering being allowed for warmth, and which in a properly heated prison would not exceed two blankets and a rug. *After the first month such prisoners as shall have conducted themselves properly in all respects are to be allowed the usual bedding; but the retention of this privilege shall in each case be dependant on the prisoner's conduct.*" *

We regret, however, to learn that the use of the crank machinery, and oakum picking, are still retained.

* Report on the Discipline and Management of Convict Prisons, p. 54, 1854.

It is of course necessary, in a system of prison discipline based upon rewards and punishments, that the inducement to good conduct shall be of sufficient value to influence the prisoners. In addition to the privilege above mentioned, the allowance of food might be increased, and the quality supplied improved; facilities for correspondence with their relations would also form a great inducement to good conduct with the well disposed; with a similar object, it would be worthy of consideration whether the power of remitting a portion of the sentence might not be occasionally exercised with good effect in the case of those whose offences had been committed under peculiar circumstances, and whose conduct in gaol exhibited sure evidence of reform. We do not claim credit for having made this suggestion for the first time. Mr. Field recommends, and shows the propriety of establishing some such provision, and we recognise the principle in the power which has been lately given to the Secretary of State for the Home Department, to grant letters of license to convicted felons subject to certain conditions. We would also recommend provision to be made, whereby the Visiting Justices, or the Board of Superintendence, shall be vested with authority to grant officially to the prisoners on their discharge, certificates of good conduct. Such we conceive would form a valuable addition to the inducements to good conduct, and would also prove of advantage in enabling the convict to overcome the obstacles which present themselves to him on his discharge. The following table, which is given by Captain Maconochie as an example, exhibits the method proposed by him to ascertain the progress made by each prisoner in improvement.

Discipline	5	4	3	2	1
Exertion	$\frac{5}{5}$	$\frac{4}{4}$	$\frac{3}{3}$	$\frac{2}{2}$	$\frac{1}{1}$
Clergyman's Report	$\frac{5}{5}$	$\frac{4}{4}$	$\frac{3}{3}$	$\frac{2}{2}$	$\frac{1}{1}$
Schoolmaster's Report	$\frac{5}{5}$	$\frac{4}{4}$	$\frac{3}{3}$	$\frac{2}{2}$	$\frac{1}{1}$

"The successive figures indicate the degree of obedience and submission to regulation exhibited by the individual, which in every case will probably begin low (in ignorance frequently, as well as unsubdued spirit), but will progressively rise almost certainly in all.

"The upper figures in the exertion line, as in all the remainder indicating attainment, I would use them thus—1. To signify a skilful artizan; 2. a good but somewhat inferior one; 3. a smatterer; 4. a mere labourer; 5. a stupid, clumsy fellow besides. The under figures in every case indicate the degree of diligence and exertion exhibited, whatever the amount of actual attainment possessed."

The success of the practical application of the *principle* contended for by Captain Maconochie, has been proved in a very remarkable manner by the results which followed at the Public Prison of Valentia, in Spain. The Prison is a large one, having been built to accommodate 1000 prisoners, but as many as 1500 have been confined in it at one time; in 1835, when Colonel Don Manuel Montesinos was appointed governor, the average recommittals amounted to from 30 to 35 per cent per annum, about the average number in other countries: yet, under the system adopted during the three years preceding 1846, there had not been *even one recommittal* out of the entire number of prisoners confined. The course of discipline adopted, as we have stated, is *in principle* similar to that advocated by Captain Maconochie; and whatever objections may be urged against the system in theory, the results which have followed at Valentia cannot be disputed or controverted; "the plan at first was much disliked in the city of Valentia on account of its lenity, but is now universally approved of; crime is said to have diminished in the district since it was matured; and its author has been since appointed, and now is, Visitor General of Spanish Prisons"—*(Visitador General de los Presidios del Reino.)**

With respect to the important questions—1st, Shall the prisoner have a pecuniary interest in his employment? and 2nd, Shall the officers of the gaol derive a benefit from the profits realized by the labour of the prisoner? we have a few observations to offer. The profits realized by a prisoner *committed* for trial, are his own property, and should be subject to his own disposal on his acquittal or discharge. If, however, on the other hand, the prisoner be convicted, we cannot understand why the amount earned, in the interval between his committal and trial, should be exempt from forfeiture, or why it should not be devoted to the expenses of his maintenance. With

* See "Penal Discipline," by Captain Maconochie, R.N., K.H. London: Harrison, Pall Mall, 1853. This pamphlet cannot, for many reasons, one of them being common justice to Captain Maconochie, be too generally known.

respect to those profits earned subsequent to conviction, the question stands on a different footing; we have only to consider the advantage of the prisoner himself with a view to his reformation and improvement; and, regarding the above questions in this light, we do not hesitate to answer them in the negative. We object to give the officials of the gaol a pecuniary interest in the prisoner's labour, because we hold, as already stated, that no prisoner should be forced or urged to work, and by allotting a share of the profits to the gaoler and his assistants, we invite them to violate the very principles we conceive ought to be adopted. Even should the prisoner, of his own accord, exhibit an anxiety to labour for a longer period than that permitted by the regulations of the gaol, we would be unwilling to accede to his request, lest we should interfere with, or curtail those hours for reflection, which, as they were the first cause of his amendment, should be daily passed, during the continuance of his confinement, in the silence and solitude of his cell. Mr. Field writes:—

"A plan of industrial training has been adopted in some prisons, conducted on the separate system, and has been strenuously advocated by many persons. In the hope that a habit of industry might be acquired, a strong inducement to continuous labour has been held out, by allowing the prisoner, when his task was completed, some profit on all 'overwork'. It may be a question whether a permanent habit is ever acquired by such means. But of this there can be no doubt, that the endeavour to promote it may be made at too great a cost. Time may be thus expended which should be spent in far more corrective pursuits. Let us suppose the bribe to the effectual, and the appeal to a merely selfish motive to produce the desired habit. Is the end of imprisonment thus obtained? Is reformation thereby wrought, and correction completed? As a means towards the object proposed, we value, and would make use of habitual labour, but let us not mistake it for the ultimate purpose. An industrious man may still be dishonest. He may still be impetuous. Neither the person or the property of his neighbour may be insured, because, by the incitement of a selfish principle he has become industrious. His temptations, it is true, may be less whilst his hands are employed; but work may be withheld, and his earnings may fail. And in that time of trial he will be proved wanting. Time, then, is shewn to have been wasted in the work-shop, which should have been devoted to corrective instruction. No adequate motives, either to perseverance, amidst difficulties, or to patient endurance have been imparted. Selfishness has been fostered. And now by a recurrence to crime it will be satisfied. It is perilous alike to the criminal and to the state, to suppose that by training the hands we can restrain them from wrong, or that if the head be unfurnished, and the heart uninfluenced, any system of penal discipline can fulfil its design."

Regarding, then, the *reformation* of the criminal, we ought not to sanction the acquisition of a habit of industry, at the expense of moral improvement or religious education; and indeed we believe that experience has proved the habit to be dearly purchased, in those gaols in which the system of industrial training is encouraged in the manner to which we have referred.

We regret to find that Mr. Hill differs with us upon this question. In his charge to the Grand Jury of the Borough of Birmingham, delivered last October, he makes the following observations:—"Let the prisoner enjoy a portion of the profit, partly in bettering his condition, partly in accumulating a store to assist him upon his discharge." We think there are grave objections to this practice, and that the Committee of the House of Lords, appointed in 1835 to inquire into the state of prisons in England and Wales arrived at the proper and correct conclusion, when they recommended, that neither the prison officers nor the prisoners themselves should have any portion of the earnings, but that the entire profit should be carried to the credit of the prison fund. We would suggest however, as a valuable provision, in the event of future Legislation, that the Visiting Justices should have the power to present to a prisoner on his discharge from gaol, *if they thought proper to do so*, a small sum of money out of this prison fund, as a reward for good conduct, industry, and improvement, during the period of his confinement.

Before we conclude, we wish to direct public attention to the consideration of two matters, which are generally overlooked, but which, to our mind, are of great importance, and as this paper has already exceeded our proposed limits, we must content ourselves with referring to the opinion of others, in preference to trespassing further upon the patience of our readers with our own views. With regard to the first, we cannot do better than adopt the language of Mr. Hill, (brother of the worthy, learned, and able Recorder of Birmingham,) a gentleman who has devoted a considerable portion of his life to the cause of reformation in prisons and prison discipline. He writes:—

"Much valuable assistance in the mental, moral, and religious instruction of prisoners may be obtained by well selected volunteers from the surrounding population; for, to the honour of humanity, the number who thus offer their gratuitous aid is generally sufficient to admit of a considerable choice.

Those, and they are many, who object to such assistance, should recollect that Howard, the first and greatest prison reformer, was

himself a volunteer; and no less so the excellent Mrs. Fry, who worthily followed in his footsteps.

The feeling on the part of the prisoners, that persons who thus, of their own accord, come to visit them, and to labour for their improvement, must have their interest at heart, and cannot be discharging a mere duty for which they are paid, adds much to the power of such instruction; and if discreetly used, this power may be turned to very good account. The ties, too, which are thus formed with some of the best of their species, feeble as such ties may appear, are often of inestimable value after a prisoner's liberation, as is shown by the large number of offenders who have become respectable members of society through the instrumentality of Mr. Wright, of Manchester.

The divine provision, by which he who dispenses good thereby benefits himself, appears to be a strong inducement to this good work. Some time ago, a lady of high rank applied for permission for herself and others to visit the female inmates of a small prison in Scotland; wishing to come, not as a condescending patroness, but as she herself expressed it, 'as woman to woman,' with a conviction that she, and those associated with her, would derive more profit even than the prisoners themselves. The following paragraph on the benefit of such visits as I have spoken of, is taken from the report of 1850, of the Physician of the Eastern Penitentiary, Philadelphia;

"'I have heard various estimates of the amount of intercourse afforded to our prisoners, but they were all very much exaggerated. My own observations, and the opinions, of our most intelligent officers, satisfy me that the average daily conversation of each prisoner does not exceed, if indeed it equals, ten minutes. This is quite too little.

"'Men of strong and cultivated intellects, with books for companions, might bear uninjured this privation of social intercourse; but the ignorant and weak minded prisoner must be more or less injuriously affected by it. If it were not possible to remedy this evil, how far it might be urged against the system I shall leave others to determine; but, happily, there is no amount of intercourse necessary, that cannot be afforded with the greatest ease. Heretofore, the individuals permitted to visit the prisoners for the purpose of moral instruction, &c. have been invariably confined to the more educated classes. I believe this to be an error. Among those of our citizens who have less pretensions to intellectual culture, many will be found who possess every qualification necessary to render their intercourse with convicts highly beneficial. I would therefore earnestly recommend that their services be immediately solicited.'" *

* See "Crime; its Amount, Causes, and Remedies, By Frederick Hill, Barrister-at-law, late Inspector of Prisons." London: Murray, 1853. This is the best book upon its subject which has issued from the press for many years; and possess that ability which its author had shown in his Reports, whilst an Inspector of Prisons for Scotland. To Mr. F. Hill, the Kingdom owes the first promulgation of the theory of "PREVENTION" of crime, in the case of Juvenile Criminals—a theory which has been so admirably supported by Mr. Pearson, the City Solicitor for London. The invaluable services of his brother, Mr. Matthew Davenport Hill, Q.C., Recorder of Birmingham, are too well known to require mention here.

The solitude of the separate cell should be unbroken during that probationary period to which all prisoners should, in the first instance, be subjected. But we daily learn from experience, that that solitude cannot be prolonged, without fatal results to the prisoner's mental and physical health; and when we recollect how small a portion of the Chaplain's time can be devoted to each prisoner, the voluntary aid and assistance of benevolent persons, who come forward to promote the great work of reformation, should gladly be taken advantage of. The inspectors of convict prisons have borne just testimony to the efforts of certain ladies who have devoted themselves to the instruction of female convicts at Millbank Penitentiary, and if their efforts in this labour of love have been attended with beneficial results in the particular instance referred to, why not extend the benefit elsewhere? We rejoice to know that there are many ladies and gentlemen ready to devote themselves to this sphere of usefulness if the opportunity were afforded. In the Hospital and Asylum, their exertions in administering comfort to the broken hearted, and communicating the Word of Life to many a degraded sinner, have been rewarded with success. Why not in the gaol? How gratifying to read the testimony of Lieut. Colonel Jebb, in the *Report of the Directors of Convict Prisons* for 1852, relative to the religious and general instruction of the female prisoners confined in Millbank Penitentiary:—

"We cannot close this report without again expressing our deep sense of the benefits derived from the visits to these unfortunate women by the ladies, who, have now for several years devoted themselves to reading with, and instructing them, in their cells. This self imposed and generally painful duty can only be carried on under the influence of real philanthropy. It requires in an unusual degree the qualifications of patience, perseverance, and discretion, combined with religious knowledge and the power of imparting it clearly and kindly to those who, through early and long continued habits of sin and crime, through wilful reckless dispositions, through hearts hardened, perhaps, by the wrongs inflicted on them by others at the out set of their vicious careers, are not always prepared to receive it. The lady visitors are constant and judicious in their endeavours to raise the female convicts from the depths of immorality to which many of them have sunk, and, by aiding the Chaplains, to plant religious principles and better feelings in their hearts, and otherwise to mitigate the rigours of imprisonment." *

In truth, to use the words of the King of Sweden, "The

* Report of the Directors of the Convict Prisons, 1852. p. 110.

solitary cell ought to be inaccessible to the outer world, but not to the admonishing and instructive voice of the philanthropist. 'I was in prison and ye visited me,' say the scriptures; may this heavenly doctrine not be lost, but manifest itself in action!"

The observations we felt anxious to make upon the necessity of selecting gentlemen of high character to fill the responsible situations of Governors of Gaols conducted on improved principles, we must postpone to a future occasion; we find that we have already exceeded our limits, and have trespassed too far upon the forbearance of our readers. We have entered thus fully, perhaps in the opinion of some too fully, into a narration of the Past and Present condition of Prisons and Prison Discipline, and have followed the course of social amelioration through a most important period in the political history of these Kingdoms.—And why? have we had no object in so doing? We have selected this course because some knowledge of the past is essential, to prepare us for the most important enquiry—what course must we adopt for the future? To be forewarned is to be forearmed. Great improvements have been effected, much remains for our future efforts. The past is matter of History, the future, of earnest speculation and benevolent activity. With this view we desire to attract and enlist public opinion in the cause of Prison Reform. It so happens that, except in the case of those whose engagements or duties lead them to the consideration of the subject, few, very few indeed, have well defined ideas upon the question. This result follows, we are persuaded, not so much from a want of interest in the subject itself, as from that want of popular information which so generally prevails with respect to it. We have conceived it to be our duty, to endeavour to supply this want, and to call on all, as they value the performance of *their* duty, and the interests and welfare of their county, to aid and assist the movement.

We must now conclude, once more impressing upon all, that a wide field of active benevolence lies before them. The path is a rugged one, and there are obstacles to be surmounted; but we hold in our hands a weapon which, when rightly used has ever proved invincible—a weapon against which ignorance, vice, and profligacy, have ever in vain arrayed themselves. That weapon is the Bible, armed with it we can enter the conflict without fears of the result, and in humble reverence, throwing down the gauntlet, go forth conquering and to conquer—and to all Christians this applies.

Art. V.—THE DUBLIN HOSPITALS AND THE BLUNDERS OF THE CENSUS.

1. *Report from the Select Committee on Dublin Hospitals; Together with the Proceedings of the Committee.* Ordered, by the House of Commons, to be Printed, 29th June, 1854.

2. *The Census of Ireland for the Year* 1851. *Part III. Report on the Status of Disease.* Presented, to Both Houses of Parliament, by Command of Her Majesty. Dublin: Alexander Thom. 1854.

3. *On Famine and Fever, as Cause and Effect in Ireland; With Observations on Hospital Location, and the Dispensation in Out-door Relief of Food and Medicine.* By D. J. Corrigan, M.D., M.R.C.S.E. Dublin: Fannin and Co., 1846.

4. *Report of Commissioners Appointed to Inspect Charitable Institutions in Dublin, Receiving Grants from the Public Funds.* 1842. Ordered, by the House of Commons, to be Printed, 16th June, 1842.

5. *Report of the Commissioners of Health, Ireland, on the Epidemics of* 1846 *to* 1850. Presented to Both Houses of Parliament, by Command of Her Majesty. Dublin: Thom. 1852.

Amongst the many very important *Reports* which have been issued, by order of the House of Commons during the present Session, none more interesting to the people of Ireland, to the citizens of Dublin in particular, have appeared, than those which we have placed at the head of this paper.

The reader, who is acquainted with the legislative history of the past ten years is, doubtless, aware that projects for the centralization of Government offices, and repeated attempts to cast the great burthen of supporting the various useful institutions of this country upon the rate payers and the public, have been the distinguishing characteristics of active members of the Government party, aided, occasionally, by Irish Secretaries of that disposition to introduce changes, which has been designated "the hatching mind." The Dublin Hospitals have

lately become the subject upon which legislators of this class seem anxious to display their ability, and no more important and convincing proof of the correctness of the views entertained by the opponents of Government support to the Hospitals could be adduced than that furnished in the Census—if it were correct.

When Mrs Gore published, anonymously, her novel, *Cecil*, it was attributed to her and to Bulwer Lytton, but yet there were many points in the story unlike the style of either: at length *Punch* stated that he had solved the doubt, and suggested that the chapters were written, alternately, by the Baronet and the lady, that when written they were placed in a hat, well shaken, then drawn forth at random, and printed as drawn. Upon some such plan as this we presume the figures, and calculations in that portion of the Census before us, and relating to Dublin Hospital accommodation, were selected and made.

It is pitiable to find that a great national work should be thus rendered comparatively worthless. It is astounding to discover that these errors, palpable and patent, should have been left unexplained or uncorrected, by those most interested in the accuracy of the figures, and most implicated in their blundering stupidity—a line of conduct rendered the more strange by the fact, that every miscalculation was clearly exposed, and everyopportunity given, in enabling those in error to correct the mistakes of ignorance or of precipitation. But despite these great obstacles to the developement of truth, despite the whole might of argument furnished by the fanciful authority of the Census, the Dublin Hospitals are now more widely and plainly known and more generally approved than ever, and to Doctor Corrigan the chief merit of this fortunate result is due. We have read and heard much evidence given before Parliamentary Committees, but to this of Doctor Corrigan, in its reasoning and its accuracy, its plainness, and its good sense, we know few evidences equal, none superior.

The objects of the Committee were, to discover whether the Hospital accommodation of Dublin was more than sufficient for the requirement of the city; to find whether such accommodation as should be deemed requisite, could be secured by voluntary aid; to report upon the state of the Hospitals as Schools of Anatomy and Surgery—and to enquire into the conditions of these Hospitals generally. These were important questions, questions upon which great diversity of opinion might reasonably prevail, but so clear and and indisputable was the evidence

adduced in favor of the Hospital grants, that the Committee felt bound to recommend that a grant of £12,900, which was to have been proposed in the estimates, should be increased to £16,000 exclusive of a vote for the Hospital for Incurables.

To arrive at a full knowledge of the real and just merits of the question before the Committee, it may be well to sketch, as concisely as possible, the history of the various Hospitals of Dublin, which have received aid from Government, and indicate the various amounts of money, voted to their especial use, by the Legislature. During the ages of the Roman Catholic faith in this Kingdom, Hospitals were supported as a matter of religion rather than of public polity, and were chiefly appurtenant to Monastic houses. The principal institution of this class belonged to the priory of Saint John, and was founded about the close of the twelfth century, by Ailred le Palmer, who took upon himself the office of Prior. At the suppression of the Monasteries, the funds of this, and all religious houses affording hospital relief, were diverted to other purposes, and whilst the property of the two great Hospitals of London—St. Thomas's and St. Bartholomew's—were re-granted, Dublin was left to support its own sick, or to beg that aid, which confiscation had rendered necessary, from the Crown. The oldest of the Hospitals of Dublin is that called Steevens', and is another of these valuable institutions which prove the charity, and love of their professions, which have distinguished so many learned Physicians and Surgeons. Dr. Richard Steevens, by his will made in the year 1710, bequeathed to his sisters a life interest in his estates, then worth about £600 per annum, and at their deaths he directed that the estate should vest in Trustees, for the purpose of building an Hospital for the maintaining and curing sick and wounded persons. An act of incorporation having been obtained, the Hospital was opened in 1733, and the first Government grant was made in 1805, since which period it has received annual grants, varying from £2,980 to £15,000. By the vote of present year it was contemplated to reduce this latter sum to £795, but the Committee consider an annual grant of £1,080, necessary for the support of the institution. The income of the Hospital last year was, exclusive of the grant, £4,498. In the year 1806, a grant of £500 was voted for the support of surgical beds; in 1812 this was increased to £1,424, at the suggestion of Lord

Maryborough, Chancellor of the Exchequer. By an arrangement with the Government, made in 1826, 30 male venereal cases were to be received,—the annual grant, at this period, was £1,516; 13; 4. The Hospital is capable of containing 250 patients; the average number, however, is about 230, and of these 95 are from the Constabulary, from all parts of Ireland, who pay for their support. From the reduction of the grant, in 1849, the number of venereal patients has been reduced from 30 to 15. A Dispensary is attached to the Hospital, in which a large number of extern patients are treated. The Hospital is attended by five Surgeons and two Physicians; these receive no salary, but an extensive system of Medical and Surgical instruction is given under their superintendence to about 30 pupils in each year: there is a resident Surgeon, who has a salary of £50 per annum.

The oldest existing Hospital in Dublin, save Steevens', is that known as the Hospital for Incurables. It was founded about the year 1740, for the relief of poor sufferers whose diseases were deemed incurable: a Charter was granted in the year 1790.

The first Parliamentary grant was made in the year 1817, and from that period, to the year 1849, the sums voted appear to have varied from £613, to £500; but in the latter year, the grant was reduced to £250. The Hospital is a most useful institution. It contained, in 1849, before the reduction of the grant, ninety patients; but it held, at the sitting of the Committee, only seventy-four. The medical attendants and the clergymen give their services gratuitously; and few will dissent from that portion of the *Report* which recommends, that the Hospital should receive aid from the Concordatum Fund.

The next most ancient Hospital of our city is the Meath Hospital, and County of Dublin Infirmary. It was opened in the year 1756; but, until the year 1828, it received no assistance from Government. In the latter year, the late Lord Melbourne being the Chief Secretary, it was arranged that thirty-six fever patients should be received in the Hospital annually, the Government bearing the cost of their support and attendance. The grant has been paid from the Concordatum Fund, and the amount has varied from £2,597 to £567. This grant is exclusively devoted to the support of fever patients; but, looking upon the Hospital as a great national institution, it may be well to state that it is a general Hospital

for medical and surgical cases; that the total number of patients within the walls is, usually, one hundred; that the most eminent members of the medical profession attend, without emolument from the funds of the institution; that about seventy students pass through the Hospital course in each year, and that all these advantages are derived from private support. That the Hospital requires Government aid is proved by the fact, that although the grant was reduced ten per cent in the year 1849, yet, in consequence of a communication made to the Lord Lieutenant, there was no reduction from 1850 to 1854; and the Committee recommend an annual grant of £600 for the support of the institution.

The Rotunda Lying-in Hospital, owing its origin to the munificence of a physician, was founded in the year 1757, by Dr. Mosse, who expended the entire of his fortune upon it, and, by a vote of the Irish Parliament, £25,500 were granted for its building and enlargement. From the year 1800 to the present, it has received yearly Parliamentary grants varying from £3,148 to £500, being the vote for the present year, in which same year the income, from other sources, amounted to but £1,946,—leaving an excess of expenditure over income of £430. This Hospital, with the small one in the Coombe, are the only institutions in Dublin in which instruction in Midwifery is given; the number of beds now available, owing to the reduction of the Parliamentary grant, from £1000 to £500, is about 103; three wards have however been closed, and should puerperal fever occur, it would be necessary, for the purposes of separation, to re-open these rooms—an event which would render a reduction in the number of admissions indispensable. It should be known, that in the year 1790, £11,000, Irish were borrowed for the purposes of building, and debentures were issued for that amount, bearing interest at 4 per cent., and the Government, by an Act of Parliament, (30 Geo. 3 c. 36) took the property of the Hospital as a security, and guaranteed the payment of the interest, which is now paid at the rate of £402 per annum. This Hospital is acknowledged to be one of the most valuable institutions of its kind in the world, both as an Hospital and as a School; it receives patients from all parts of Ireland; every poor woman presented in labor at the door is admitted; many soldiers' wives are annually received; an extensive system of instruction for male and female pupils is established, and the management of the Hospital is under

the control of a master elected every seven-years, and paid by the fees of pupils, whose numbers vary from 50 to 54, and who pay ten guineas each. The grant voted this year was, as we have stated, £500, to which the committee recommended, in accordance with the evidence of the Register, an addition of £300, as necessary for the purposes of the institution.

The Westmoreland Lock Hospital was established under the direction of Government in 1792, for the relief of male and female venereal patients: it was remodelled in the year 1819, and was then exclusively devoted to female venereal patients. This institution has received, since the Union, Parliamentary grants varying in amount from £9,019 to £1,215, the proposed grant of the present year. The usual number of beds was 150, but these, owing to the decrease in the amount of the grant, have been reduced to 40.

Considering the fact, that since the reduction in the number of the beds, diseases of this class have increased in Dublin; considering the importance of the Hospital, socially and economically; and discovering the difficulty of obtaining private subscriptions for such an institution, the committee are of opinion that a sum of £2,500 or £3000 per annum, is necessary for the support of this Hospital,—we may add that a vote was this year proposed for Lock Wards in the Portsmouth Hospitals.

Few of the Dublin Hospitals are better known, or more generally admitted to be of the first importance, than the Cork street Fever Hospital,—and it should be so. Squalor, poverty, and famine predispose our people to the ravages of fever. There is not, in the most painful page of Thucydides or Defoe, a more appalling narrative than that placed before the reader, in the portion of Dr. Corrigan's pamphlet, which he entitles a Review of Epidemics. *

During one hundred years, extending from 1728 to 1827, Ireland was nineteen times visited by its peculiar demon, Fever, aggravated, when not produced, by want. The history of these epidemics is vividly and eloquently detailed by the learned author; few of our readers are ignorant of the woful facts connected with the terrible famine and pestilence which made memorable the four years from 1846 to 1850,—to read the record of them even now is painful. †

* See "Famine and Fever, as Cause and Effect in Ireland." p. p. 4. 8.

† See "Report of the Commissioners of Health, Ireland, on the Epidemics of 1846 to 1850; Presented to both Houses of Parliament by Command of her Majesty." Dublin: Thom. 1852.

With these evidences of the liability of our people to fever, it can scarcely excite surprise that the citizens of Dublin should have viewed with alarm the enforcement of any measure calculated to diminish the accommodation in, or the efficiency of, the Cork Street Fever Hospital. From the year 1798 to the beginning of the year 1802 a most malignant fever raged in Ireland, adding to the terrors of rebellious violence and the vindication of outraged law. This fever disappeared in the Summer of 1802, but the necessities for Hospital accommodation which it had evidenced, were not forgotten or neglected, and in 1804 the Cork street Fever Hospital was opened, the cost of its erection being £11,318: 13 : 11. Of this sum, £1,954 : 12 : 11 were contributed by Parliament; Earl Hardwicke, then Lord Lieutenant, contributed £300, the Right Hon. Charles Abbot, the Chief Secretary, contributed £200, and the balance of the cost—£8,864 : 1 : 0, was contributed by the citizens of Dublin: since the year 1804, two additional houses have been built: one was opened in 1809, the other in 1817, and a new laundry was erected in the year 1818. *

Since the year 1808 an annual grant has been received, varying from £5,577 to £1,900, the vote proposed in the present year. The Hospital is devoted exclusively to the relief of poor persons suffering from contagious fevers; all are admitted who are brought to the doors suffering from these diseases—yet the income derived from every source save the Parliamentary grant, amounted, last year, to but £1,255. There is accommodation in the Hospital to the extent of 426 beds; whilst the grant amounted to £3,800 per annum, 240 beds were available; but, upon the proposed reduction of the grant, the accommodation was decreased to 120, and the system of visitation of the physician at the houses of the sick poor, and the Hospital carriage for the conveyance of patients to the institution, although found most useful, were discontinued for want of funds. There are four acres of ground attached to the Hospital; and in addition to 500 patients who could be admitted within the building, an almost unlimited number could be provided for in sheds and tents. It was stated to the Committee that this Hospital must be inevitably closed, if the Parliamentary grant be discontinued, and the effect of this

* See "Report of the Commissioners appointed to inspect Charitable Institutions, Dublin, 1842." Ordered, by the House of Commons, to be Printed, 16th June, 1842. No. 4 (E.) Cork-street Fever Hospital, p. 101.

"closing" may be judged by the fact, that in June 1847, 951 fever patients lay sick and received attendance within the building, and the adjoining sheds then erected. The medical staff now consists of two permanent physicians, who receive each a salary of £100 a year, and two temporary physicians who are unpaid. The Committee recommend that a sum of £3,000 per annum should be voted to this institution; that a system now practised, of admitting fever patients from the Dublin Unions upon payment of the necessary expences, should be continued; and that every inducement should be afforded to draw medical students to attend the Hospital for purposes of instruction. With all these recommendations we are satisfied that every citizen of Dublin will concur; no Hospital in our city is more vitally important, not alone as to existence, but as to active efficiency, than this, for, as Dr. Corrigan has truly and wisely written,—

"I know not of any visitation so much to be dreaded as Epidemic Fever; it is worse than plague, for it lasts through all seasons. Cholera may seem more frightful, but it is in reality less destructive —it terminates rapidly in death, or in as rapid recovery; its visitation too is short, and it leaves those who recover unimpaired in health and strength. Civil war, were it not for its crimes, would be, as far as regards the welfare of a country, a visitation less to be dreaded than Epidemic Fever.

"Epidemic Fever, as it has appeared in Ireland, persists through all seasons, and when it has seized on an individual, generally extends to every member of the family, leaving no one of them capable of struggling against the common destitution. In Dublin alone, notwithstanding all the means of prevention that wealth and charity supplied, 42,000 patients passed through the Fever Hospitals, or one-sixth of the whole population of the city, in the epidemic of 1817 and 1818, and of six millions, the estimated population of Ireland at that time, at least one million and a half of the labouring classes suffered from fever. Of these, about 60,000 died; but we shall have a very incomplete idea of the evils of fever, if we limit our estimate of them by the extent of the mortality. Of nearly all the acute diseases, the slowest convalescence and requiring the greatest care, is from fever. We are all aware how tedious is recovery after fever, even among those possessing every comfort; how much care is requisite, and how much attention is required to diet and clothing; how often even change of air and residence is required, and how long postponed, even with all those appliances, are perfect recovery and strength. It is not possible then to form an exaggerated picture of the sufferings of a million and a half of people in these countries, in their convalescence from fever, deprived of not only the comforts, but even the necessaries of life, with scanty food, and fuel and covering, only rising from fever to slowly fall victims to

those numerous chronic diseases that are sure to seize upon enfeebled constitutions. Death would be to many a more merciful dispensation than such recovery. It is not to be wondered at, that a population that has thus suffered, should for a long period bear the stamp of the infliction. The generation that has thus suffered cannot again be what it had been. What is commonly observed of the individual is true of the people, 'he was never the same man since he had the bad fever,' and the offspring will inherit for generations to come, the weakness of body and apathy of mind, which famine and fever had engendered.*

"It is a curious circumstance in the history of the Epidemic Fevers of Ireland, that while the poor are attacked in greater numbers, the rich suffer more in mortality. The mortality among the poor is only about one in thirty, but the mortality among the rich is estimated at the lowest at one in three. It seems, therefore, that while the rich possess constitution and means, which enable them to resist the ordinary contagion of fever, the seizure, when it does come, is in itself demonstrative of a greater amount of virulence.

"It is again right, we should all be aware, that no matter from what source, fever originally springs, all, rich as well as poor, are soon involved in one common risk. Our own property is not safe while our neighbour's house is on fire—our lives are not secure while fever rages round us. Fever, originate from what cause it may, soon acquires a contagious character; and we have no means of determining the distance to which that contagion may be carried. We may hoard food, but we cannot hoard air; the tainted atmosphere that escapes from the hovel of the sick pauper, may be wafted no one knows whither. It mixes with the air we breathe; it will enter the mansion of the richest, and the palace of the proudest; we have no means of detecting its approach, or of discovering its presence; it is an unseen enemy, and the more to be dreaded as like the ambushed snake, it only reveals its presence to its victim by its grasp." †

Before the introduction of the present Poor Law System into Ireland, Dublin, like all other large cities, possessed its House of Industry, the main building of which now forms portion of the North Dublin Union Work-House. At the period of this change, the lunatics and paupers then inmates were transferred to other buildings, those who still live are supported by an annual grant from Parliament. "The House of Industry Hospitals" now consist of three Hospitals, of an establishment for lunatics at Island Bridge (maintaining not alone those removed from the old House of Industry, but 179, or two thirds of the whole number, received from the

* "'Many patients remained in a state of fatuity for months after the fever had left them.' *Barker and Cheyne.* Vol. i. p. 467.

† See "On Famine and Fever as Cause and Effect in Ireland; With Observations on Hospital Location, and the Dispensation in Out-door Relief of Food and Medicine," pp. 4, to 6.

Richmond District Lunatic Asylum, their expenses being repaid by the governors of that institution,) of the Talbot Dispensary, and of a small establishment for the issue of trusses to the poor afflicted with hernia. These Hospitals are under the control of the Poor Law Commissioners, and are governed by a master who receives a salary of £360 per annum, and who is appointed by the Lord Lieutenant. The Hospitals accommodate about 312 patients suffering under any form of disease, and are supported, with the exception of £136 : 5 : 9, solely by Parliamentary grants, at an expense of £11,859 per annum, about 7,600 of which is expended on the Hospitals, which are attended by four physicians, and five surgeons, appointed by Government. The two senior physicians receive £100 a year each, the two junior £60, the surgeons receive no salary. From 120 to 130 pupils annually avail themselves of the advantages of this institution, the system of instruction conveyed in which is most extensive. In the year 1838 a Lecture room and Museum were erected by Government in the Hospital grounds, and contain one thousand drawings and two thousand five hundred preparations. Through the munificence of the late Dr. Carmichael a School of Anatomy, Surgery and Medicine was founded, at a cost of £10,000, close to these Hospitals, which are in near proximity to each other, and much used by pupils studying in the institutions : graduates and foreigners frequently attend to perfect themselves in their professions.

It is worthy of remark that one of these Hospitals—the Whitworth Chronic Hospital—capable of accommodating 82 patients according to the *Report on the Status of Disease*, of the *Census* of 1851, was closed in April 1849, in consequence of the *Report* of the Committee on Miscellaneous Estimates. The Hospital had admitted annually from 1000 to 1,200 patients; the order to close was issued the 3rd April, 1849; it was about this period visited in person by Lord Clarendon, then the Viceroy, who was so struck by the evil consequences of the closure, that he undertook, on his own responsibility, to re-open it—and it was accordingly re-opened on the 9th day of May, 1849—little more than one month after its closure.

The Committee recommend that these important Hospitals should be maintained in their present state of efficiency; that an enquiry should be directed to the Lord Lieutenant, as to the sum necessary for that purpose; that the Hospital establishment should be entirely separated from the other branches of the

institution ; that a Board of unpaid Guardians should be appointed by the Lord Lieutenant, by which means the Governor's salary would be got rid of; that the Poor Law Commissioners should be relieved of all charge over these Hospitals ; that the Talbot Dispensary should be no longer maintained, the operation of the Medical Charities Act having rendered it unnecessary.

So far, we have written of the Dublin Hospitals deriving aid from Parliamentary Grants. We have stated that pottering Members, and Secretaries of the hatching order, have frequently employed themselves in obtaining, or endeavouring to obtain, Committees of Inquiry upon the working of these institutions. The most remarkable of these were, first, the Committee of Irish Miscellaneous Estimates of 1829, which, whilst reporting upon each of these institutions, did not recommend a reduction of the grants. Second, that of 1842, when Earl de Gray, then Lord Lieutenant, appointed three Commissioners, Colonel La Touche, Mr. G. A. Hamilton, and Mr. Barlow, to inquire into the condition of the Hospitals, each of which was personally inspected by these gentlemen, who strongly recommended a continuance of the grants. The House of Industry Hospitals, however, were not within the scope of their commission, but were inspected and reported upon in the same year, as carefully, and in the same terms, by Mr. Nichols, and Dr. Phelan, Poor Law Commissioners.

Third, in 1848, the Select Committee on Miscellaneous Estimates, in their *Report*, recommended that the grants should be reduced ten per cent., and that these Hospitals, with the Dispensaries attached, should be closed, so far as related to Government support, within ten years, from the year 1853 ; and the Report now before us, (that of 1854,) states, " Your Committee are of opinion that that decision was arrived at without sufficient investigation, as no witness, connected with Hospitals, or the city of Dublin, was examined by the Committee." If further evidence of the good sense of this statement be required, it appears in the fact, that since 1849 the continuance of grants, for the purposes of medical education, has been recommended by two Lord Lieutenants. The Committee also state, that having examined the Commissioners of 1842, having examined Governors, Medical Men, Officers connected with the Hospitals, Guardians, and Officers of the two Poor Law Unions of Dublin, the Chief Commissioner of

Poor Laws, some of the citizens of Dublin, and two Medical Men of high standing, connected with London Hospitals, they have arrived at the following conclusions :—First, that the Hospitals afford, to the Medical School of Dublin, the requisite means of instruction in separate branches of Medicine, Surgery, and Midwifery. Second, that they afford a large and efficient system of medical relief to the sick poor. Third, that in the position and circumstances of Dublin, these objects could not be effected without extraneous assistance. Fourth, that a Parliamentary Grant is the only means whereby this assistance can be obtained. And finally, they recommend that this grant should be, in place of £12,900, £16,000, exclusive of the Hospital for Incurables, which has been reduced from £500 to £250, and which they recommend to the attention of the Lord Lieutenant, and suggest that the grant might be increased from the Concordatum Fund.

We have thus sketched, as concisely as possible, the history and position of these Dublin Hospitals, aided by Parliamentary Grants. *

* We here subjoin the Names of the Members comprising the Committee :—

Mr. Grogan.
Lord Alfred Hervey.
Lord Naas.
Sir Thomas Frankland Lewis.
Mr. Percy.
Dr. Brady.
Sir John Hanmer.
Mr. Moody.
Mr. James MacGregor.
Mr. Digby Seymour.
Mr. Kershaw.
Mr. Shirley.
Mr. Whitmore.
Mr John Ball.
Mr. Byng.

We next give the Names and Professions of the Dublin Witnesses examined :—

NAME of WITNESS.	Profession or Condition.	NAME of WITNESS.	Profession or Condition.
Mr. Jolliffe Tufnell	Surgeon to Military Hospital.	Dr. George B. Owens	M.D.
Sir James Pitcairn	Inspector-General of Hospitals.	Dr. Edward Hutton	Surgeon.
Dr. Thomas Byrne	M.D.	Dr. H. Hutchinson Stewart.	Surgeon and M.D.
Dr. Robt. Shekleton	Master of the Lying-in-Hospital.	Mr. Jas. Bessonnet	Q.C.
Mr. J. G. Strickland	Registrar of same.	Mr. R. B. M'Vittie	Accountant.
Mr. Ralph Cusack	Governor of same.	Colonel David Chas. Latouche	Banker.
Dr. F. Kirkpatrick	Surgeon.	Dr. Jas. Wm. Cusack	M.D.
Dr. J. W. Macdonnell	Army Medical Secretary.	Dr. Wm. Hargrave	Surgeon.
Dr. Daniel F. Brady	Vice-Chairman, N. D. Union.	Mr. Wm. Robt. Wilde	Surgeon.
Mr. Henry Price.	Guardian, S. Dublin Union.	Dr. William Stokes	Regius Professor of Physic.
Dr. Thomas Brady	M.D.	Dr. D. J. Corrigan	M.D.
Mr. Charles Mathews	Registrar, Cork st. Hospital.	Mr. Domk. Marquéas	Governor Richmond Bridewell.
Dr. W. Henry Porter	Professor of Surgery	Mr. Michl. Staunton	Collector-General of Rates, Dublin.
Mr. E. B. Stanley	Registrar of Meath Hospital.	Mr. John Barlow	Bank Director
		Mr. William Moore	— — —

It has been stated above, that the object of this inquiry was to cast the whole support of these institutions upon the voluntary charity of the citizens of Dublin, or failing in this, to hand them over completely to the bureauism of the Poor Law Commissioners, guided by the autocratic direction of a well-paid, all but irresponsible, director. We are writing at the end of the month of July, and, of course, know not whether the recommendations of the Committee may meet the approbation or opposition of Government. Should the first be their lot, we shall rejoice in the common justice and good sense of the Legislature; but, having an accurate knowledge of the frequent attacks which have been made upon these institutions, and believing that these attacks may be once more, if not frequently, repeated, we shall here state, simply and plainly, our views upon the two points to which we have above referred—voluntary support of these Hospitals, and the mooted project of transferring them to the management of the Poor Law Commissioners.

The proper method of viewing the first portion of this question, as we understand it, is to compare the position, capabilities, and wants of the people of Dublin, so far as Hospital accommodation is concerned, with the position, capabilities, and wants of other large cities—such as London, Edinburgh, and Paris. We have already stated, that when the Whitworth Hospital was closed, in 1849, by order of the Government, it was re-opened, on his own responsibility by Lord Clarendon, and in little more than a month after its closure; and that he was urged to this act by his own personal knowledge of the injurious effects of the Government regulation. In the same year, 1849, the House of Commons were engaged in considering how the Medical Charities of Ireland were to be supported, as all attempts to support them efficiently, by voluntary subscription, even in part, had proved a complete failure, after an experience of more then eighty years, reckoning from the first County Infirmary Act* and including the Dispensary act of 1807, † which enabled Grand Juries to present for sums equal to the amount collected in voluntary contributions, and the provisions of which were in force even to 1849. The House of Commons, in passing the Medical Charities Act of 1851, virtually declared, that after so long an experience, and after various attempts to encourage voluntary subscription, that such support was a failure, and proceeded, in that year, to

* County Infirmary, Act, 5 and 6, George III., A.D., 1765—6.
† 58 George III.

substitute public support for voluntary contributions; but by a strange contradiction, within the same period, a Committee of the House adopted the very opposite course. The experience and legislation of the whole House are, therefore, condemnatory of the course pursued by the Committee of 1847-8. Another serious mistake committed by the Committee of 1847-48 was, in supposing it possible to replace the amount derived from public support within a period of ten years, by voluntary contributions. If evidence is needed, it is found in the fact, that in London, one of the best patronized Hospitals, St. George's, Hyde Park Corner, founded more than 100 years back, 1733, was obliged to sell out £5000, a considerable portion of its funded property, in order to meet its expenses in 1849;* and yet, Dublin was expected to do that, with several Hospitals in ten years, which London did not do, at the end of 100 years for one,—obtain sufficient support from annual voluntary contributions. The occasion too, 1849, was unhappily timed: we were in the midst of the Famine and Fever, and the Cholera cloud was gathering around us.

We do not, however, rest our arguments, taken from the state of the London Hospitals, here; that great city possesses twelve General Hospitals, the total annual contributions to which amount to £142,906; this sum is composed of voluntary contributions amounting to £31,265, and of sums from all other sources amounting to £111,641. The beds contained in these twelve General Hospitals number at present 3,326, at an average annual cost of £42 each. If, therefore, the £111,641, representing the support of 2,658 beds, or more than three-fourths of the whole, were withdrawn, and if London were thus left dependent on voluntary contributions, the number of beds in its twelve great General Hospitals, would be diminished from 3,326 to 668;† it should be added also, that several of the London Hospitals, depending on voluntary support, are in pecuniary difficulties. For example; St. George's, founded 1733, was, as we have stated, obliged to sell out £5000 of its funded property, in 1849, to meet its expenditure ‡

The London Hospital has, in its expenditure, for some few years exceeded its income, and a decrease of its funded property has been the result—this decrease, for ten years ending 1849,

* See Lowe's Charities of London, p. 10.

† Lowe's Charities, p. 4.

‡ See Lowe's Charities, p. 10.

has been upwards of £5,000; whilst the patients annually treated, have increased from 12,816 to 24,700.

King's College Hospital, founded in 1839, with all the influence of King's College to support it, finds the income very insufficient for the number that might be relieved, and as it does not cover the present expenditure, an annual amount of debt is now accruing.*

University College Hospital—founded in 1833, supports 120 beds; it is, however, capable of containing 200, but even with the reduced number the expenses are just covered by the contributions. †

Westminster Hospital was founded in 1719; it makes up 174 beds, always full, and admission is frequently refused to urgent cases, as the funds are much below the needful extent of the Hospital. This is the oldest Hospital supported by voluntary subscriptions: its present annual income is £4,000, one half of which arises from dividends of a now rapidly decreasing stock.‡

St. Bartholomew's, St. Thomas's, and Guy's Hospitals, are not dependent on voluntary contributions; but of the remaining nine, it appears that of the above five there is only one, the University College Hospital, which barely meets its expenditure; and that even is done by not keeping open all its beds—though containing 200, opening but 120. Of the other Hospitals of London—Middlesex, Charing-cross, the Royal Free Hospital, and Marylebone, there is no statement to prove their position. The Royal Free Hospital, indeed, is stated to have outstanding liabilities which, if removed, would enable the directors to double the number of beds, and thus, in part, meet the demand for accommodation.‖

These are the facts proving the fallacy of a dependence on voluntary support, as furnished by the London Hospitals; but Edinburgh, where Medical institutions have given to humanity, not alone men who where physicians, but likewise scholars who have illustrated English Literature, whilst occupied in discharging the duties of an arduous, and mind-taxing pro-

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* See Lowe's Charities, p. 15, 16. † Ibid. p. 17.

‡ See Lowe's Charities of London, p. 8.

‖ See Lowe's Charities, p. 15.

fession—Edinburgh, in its Hospitals, has shown the folly of assuming that voluntary aid can support Hospitals and Medical Institutions. The Report of the Royal Infirmary, for the year ending October, 1851, states "That there has been a gradual and marked diminution in the amount of the main sources of the ordinary revenue during the last two years. In every aspect there is a decrease in the ordinary revenue. The patients have increased by nearly 1000, and the income has decreased to the extent above named."*

In 1851, the excess of expenditure over income was no less than £2,265:9:8.† The *Report* states, that increased facility of access and increasing population, and these causes continuing to operate, will augment the numbers from year to year. ‡

Of the subscriptions, the total amount received for the year, in Edinburgh, was £1,641 : 8 : 1.§ And it is stated, that "it must be obvious, from the preceding statements, that the Infirmary does not receive that amount of general support from the citizens, which its preeminent claims so justly deserve." ‖ The *Report* for the year ending October 1st, 1852, states that "The above balance of whole expenditure over whole income will be reduced to £2340, or thereby." ¶ The *Report* adds:—"The managers have again to express regret that the pecuniary means supplied to them, during the past year, have proved deficient and inadequate."

This Royal Infirmary of Edinburgh, founded in the reign of George II. has been regarded as a National Institution. The undivided energies of the city have been directed towards its support for more than one hundred years—collectors travel Scotland annually for contributions, and the country contributed in 1852, the sum of £1,170 : 17 : 11. Yet, with all these advantageous circumstances, it is about £3,000 in debt, at the end of more than a century from its foundation. These facts shew the hopelessness of expecting sufficient support from voluntary contributions.—Even in Glasgow, a new city population has outstripped support. In the Report of the Glasgow Infirmary, for 1853, we find the following stated—a "retro-

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* See p. 6. of Report.

† Ibid, p. 7.

‡ pp. 8, 9.

§ Report, p. 10.

‖ Report, p. 11.

¶ See Report, p. 6.

spect shows that it (the sum subscribed) is not much more than was subscribed 20 years ago." This proves a fact which may be affirmed of every large City, that its population, requiring Hospital relief, increases much more rapidly than its population capable of contributing, or willing to contribute, to that hospital maintenance.

We may here add, that the Lying-in Hospital of Edinburgh does not contain more than about 15 or 18 beds.

Edinburgh labors under those difficulties of obtaining voluntary support, and with less demands upon it for Hospital relief than Dublin, whilst it embraces a wider sphere for collection. It has less demands, for it has a smaller population requiring Hospital accommodation. It has no factories, no mills, furnishing large claims upon Hospital relief. It is not therefore liable, as Dublin, to outbreaks of fever from crowding, &c., nor to poisoning from lead, copper, nor to accidents. It is not a seaport. It is not liable to the demands from colliers, coasters and emigrants, nor is it burthened by the followers, wives and families of a large Garrison. To all these demands theDublin Hospitals are exposed where the Garrison alone generally numbers six thousand.

We have now placed before the reader authentic facts, proving the utter fallacy of expecting that Hospitals can, in large cities, be supported by voluntary contributions; in selecting these facts we have been careful to rely upon the best authorities, and have referred chiefly to the cities of London and Edinburgh as approximating, in all requirements, most nearly to Dublin.

It appears then that in London, with all its wealth, population has pressed upon Hospital relief, to a degree which voluntary support has not been able to meet. Yet Dublin, without wealth, without aristocracy, without trade, has been required to do that which could not be accomplished, which has utterly failed of success, in LONDON.

The population of London is about 1,652,902, and the number of beds available in its Hospitals is 3,326, allowing only one bed for every 499 inhabitants. In Paris, reckoning the population at 1,000,000, and the beds for all the Hospitals at 6,574, we have one bed for every 167 inhabitants. *

In Edinburgh, the population being estimated at 170,000,

* See Galignani's Guide, p. 153. Ed. 1851, We quote this book, being well aware of, and having the most complete confidence in, its accuracy.

and the beds in the Royal Infirmary and Fever Hospital being numbered at 453, we find one bed for every 375 inhabitants.* Thus we perceive the Hospital accommodation derived from all sources in three great cities, and we shall now state the facts connected with accommodation in the chief of our Dublin Hospitals. We would here premise, that our figures refer solely to the number of beds really in use, and in one or two instances the numbers given may be eight or ten above those actually in use; but in no case do we state even one bed under the full number which the funds of the Hospital CAN support.—

Name of Hospital.	Number of Beds.
Steevens'	120
Meath	100
Cork-street Fever	120
Mercer's	60
Baggot-street	60
Sir P. Dun's	60
Jervis-street	50
Lock	40
Richmond, Hardwicke, Whitworth Chronic	310

The total of these beds we find to be 920; and taking the population of Dublin at 258,361, we have one bed in our Hospitals for every 280 inhabitants. How totally inadequate Hospital accommodation in Dublin, and in all our large cities, is, may be gathered from the fact, that whilst on an average those city hospitals possess one bed for every 280 inhabitants, a regiment in garrison, with all the care taken of its men, has about five per cent of its number in hospital; or in other words, that every garrison hospital provides one bed for every twenty of the inhabitants of the barrack.

Before we enter upon the discussion of the right of Dublin to Parliamentary support for these Hospitals, and display some of the mischievous errors in that concentration of logical and arithmetical absurdity, the *Report on the Status of Disease*, in *The Census for Ireland for* 1851, we shall state the efforts which have been made during the year 1853—4, to support their Hospitals, by the rate payers and citizens of Dublin, basing our statements upon the most indisputable authorities, wherever information could be obtained. In the

* We make this statement from private information, and from the Report of The Royal Infirmary for the year ending, October, 1852.

following table we place, first, the names of the Hospitals; second, the sums presented by the Grand Jury; third, the sums derived from subscriptions and donations.

Hospitals.	By Grand Jury Presentment.	By Subscription and Donation.
Mercer's	£200 : 0 : 0	.... Amount not known.
Incurables... ...	200 : 0 : 0	... ... Ditto
Jervis-street ...	200 : 0 : 0	... ... £102 : 17 : 0
Ophthalmic ...	91 : 0 : 0	... Amount not known.
Baggot-street ...	300 : 0 : 0	.... 600 : 0 : 0
Coombe Lying-in	400 : 0 : 0	... ... 400 : 0 : 0
Meath	0 : 0 : 0	... ... 272 : 1 : 0
Sir P. Dun's ...	0 : 0 : 0	... . 61 : 16 : 0
Rotunda Lying-in	0 : 0 : 0	.... Amount not known.
Cork-street Fever	0 : 0 : 0	... ... 522 : 5 : 10
	£1,391 : 0 : 0	£1,958 : 19 : 10
		1,391 : 0 : 0
		TOTAL, £3,349 : 19 : 10

From this table it will be perceived, that the total sum contributed by Dublin for the support of its Hospitals, is considerably more than twice the amount contributed by Edinburgh for the maintenance of its institutions; and it is worthy of remark, that the excess of contribution, over Edinburgh, is exclusive of that marked "amount not known."

This table proves another fact—that the citizens of Dublin are, in a very praiseworthy degree, charitable. But charity alone cannot keep open these Hospitals; charity cannot enable these institutions to check the ravages of disease, or the horrors of an epidemic. With an absentee gentry; with merchants who are but traders; with traders who are but chapmen; with a Custom House and an Exchange devoted to all purposes save the normal objects; with an Income tax doubled, and provisions at enormous prices, it is utterly impossible that Dublin can support its Hospitals. That these institutions are necessary, we believe no man honestly doubts; and it is a cruel, heartless injustice to deprive them of Government aid, if that sentence of Doctor Corrigan's which states, "that Famine and Fever are, in Ireland, as cause and effect," be proved. *

* See "On Famine and Fever," p. 1.

Let it be remembered that our claim for this grant is, that it is needed. It matters for the present little, whether we possess a legal, constitutional right to governmental support; it is sufficient for our purpose now to show, that we do require the grant, and this is best proved by such facts as the following, which show the various epidemics that have afflicted Ireland since the Union, and which, at the same time, show that the more incapable the city might be of supporting the Hospitals, so much the more virulent did disease become—poverty and disease being as cause and effect. Thus, in the year 1800, famine and malignant fever afflicted the country. In 1816, 17, 18, crops failed, and one million and a half of the Irish people suffered from fever. In the year 1825 the potatoe crop failed, and owing to this misfortune, and to the free trade with England, 20,000 weavers were thrown out of employment, and vast numbers were sent to break stones upon the roads. It appears, by a statement made in a public meeting, held at the time, at which the Lord Mayor presided, and at which, amongst a vast number of other influential persons, the late Lord Cloncurry, the late Archbishop Murray, the late Sir William Stamer, and Sheriffs Alley and Moore attended, that, at that period, there were, in the silk trade, 1860 looms idle, which had afforded employment to 6,280 individuals; in the woollen trade 850 looms were idle, and 11,110 persons unemployed; in the cotton trade, 443 looms were idle, and 3,960 individuals out of employment. The total number of looms idle amounted to 3,153, and the entire number of persons unemployed was 21,350.*

In the years 1832 and 1833, Cholera most grievously afflicted this country; and in the years 1846, 47, 48, 49 and 50, a most terrible series of visitations came upon the nation—Famine, Fever, Dysentery and Cholera, following each other in rapid succession. Of fever, 34,622 died, from July 1847 to August 1850, in the Temporary Fever Hospitals of Ireland. †

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* This Report, to which we have above referred, was "drawn up by several gentlemen who had inquired into the facts of the case," and read by the Rev. Mr. Groves, now Librarian at Charlemont House, at a Meeting held in the Royal Exchange, on Tuesday, 25th April, 1826. See "Dublin Evening Post," Tuesday, April 27th, 1826. See also Letter of Surgeon Wilde, in "The Freeman's Journal" of Saturday, May 27th, 1854, and reply of Dr. Corrigan in same Paper of Tuesday, May 30, 1854.

† See "Report of the Commissioners of Health, Ireland, On the Epidemics of 1846 to 1850," Appendix A., No. 16. p. 68.

Of Cholera, the number of deaths, reported to the Central Board of Health, from December 1848 to August 1850, amounted to 19,325. *

The summary of these facts is as follows. From July 1847, when returns were first sent in, to August 1850, when the Temporary Fever Act expired, in Hospitals provided under requisitions of the Board of Health, 332,462 persons were treated, and of these 34,622 died. This is exclusive of those cases treated in other Hospitals and Dispensaries; and if we consider these, the above figures may be doubled. In Dublin, alone, within the same period, 33,659 persons were attacked by fever, or about one in every six of the population of the city, estimating it at 232,000: of the 33,659 attacked by fever, 2,696 died. Fever was followed, as we have stated, by Cholera, which prevailed from December 1848 to August 1850. By this disease, in Dublin alone, 3,813 persons were attacked, of whom 1,664 died; if we add the number of deaths from Cholera and Fever we find the numbers thus—

Fever	2,696
Cholera	1,664
Total deaths for Dublin alone	4,360

These are the afflictions to which this country has been subjected, and which make Hospital accommodation a necessary charge upon the National Fund To these may now be added that increasing throng of poverty stricken wretches who—aided by the facility of Railway transit, crowd our streets, and the pressure which the ever passing stream of emigration so frequently casts upon the resources of medical institutions in all ports of embarkation.

No reader of THE IRISH QUARTERLY REVIEW, need be informed, that in advancing arguments such as these in this paper thrown out, we are not, in the slightest degree, infringing upon the claptrap of indignant platform patriots, or adopting the arguments once so ingeniously advanced by those who designated themselves Repealers. But there are arguments and principles founded in truth, which cannot be desecrated or weakened, even though misused by the knavish or the mistaken. We have not stated one opinion here, as to the right of Ireland to Governmental support for her great metropolitan

* Report of the Commissioners of Health, p. 29.

Hospitals, but we shall do so now, and not in our own words, but in those of a carefully compiled and often quoted Parliamentary Report. We adopt this course after having argued upon cases which, however well supported by evidence, find yet their chiefest weight in the human sympathies of the reader. We shall now quote truths, facts and figures from a BLUE BOOK, because we believe with Sydney Smith, that—"The English are a calm reflecting people; they will give time and money when they are convinced; but they love dates, names, and certificates. In the midst of the most heart-rending narratives, Bull requires the day of the month, the year of our Lord, the name of the parish, and the countersign of three or four respectable householders. After these affecting circumstances, he can no longer hold out; but gives way to the kindness of his nature—puffs, blubbers, and—subscribes." Our evidence, as to the right of the Dublin Hospitals to support, is taken from the *Report of Commissioners Appointed to Inspect Charitable Institutions, Dublin*, and ordered, by the House of Commons, to be printed, 16th June, 1842. The Commissioners were George Alexander Hamilton, David Charles La Touche, and John Barlow, Esqrs. Earl De Grey was Viceroy, and Mr. Edward Lucas was Under Secretary: we quote from pages 4, 5, and 6, (No 3.) of *The General Report*, which, in referring to the difficulty of supporting Hospitals, by voluntary subscriptions, in Dublin, states:—

"The great change which the Union with Great Britain was necessarily calculated to effect in the condition of the Irish metropolis; the withdrawal from Dublin of the great body of the Irish nobility and gentry, and the consequent alteration in the condition of all classes, and all institutions in Dublin, appear to have been strongly felt and admitted by the framers of that measure, and to have been made the groundwork of those peculiar claims for support, which have ever since been recognized on behalf of Dublin; and a clause was accordingly introduced into the Act of Union, by which the Parliament of the United Kingdom was bound to provide that a sum not less than the sum granted by the Parliament of Ireland, during the six years previously, for the encouragement of agriculture, manufactures, and for maintaining institutions for pious and charitable purposes, shall be applied, for a period of twenty years, to such local purposes in Ireland.

The conditions so entered into at the Union were greatly exceeded by the liberality of the Imperial Parliament, not only during the twenty years after the Union, but for many years subsequently; and as frequent inquiry and discussion have taken place on the subject, we feel bound to believe that those grants were sustained on the grounds of expediency and necessity.

"PARLIAMENTARY GRANTS to CHARITABLE INSTITUTIONS in *Dublin* since the Union, each for a period of Three Years.

INSTITUTIONS.	1801 to 1804.	1805 to 1807.	1808 to 1810.	1811 to 1813.	1814 to 1816.	1817 to 1819.	1820 to 1822.	1823 to 1825.	1826 to 1828.	1829 to 1831.	1832 to 1834.	1835 to 1837.	1838 to 1840.	TOTALS
	£	£	£	£	£	£	£	£	£	£	£	£	£	£
Cork-st. Fever Hospital	620	792	2,527	1,231	4,000	4,615	4,569	3,692	4,037	3,539	4,141	*5,577	3,800	43,140
Lying-in Hospital - -	830	2,216	2,147	2,733	2,920	3,148	3,033	2,833	2,646	2,065	1,541	1,000	1,000	28,112
Steven's Hospital - -	–	2,980	870	764	1,366	1,468	1,400	1,400	1,675	1,643	1,654	1,500	1,500	18,220
Hospital for Incurables	–	–	–	–	–	465	407	317	443	470	613	544	561	3,820
Lock Hospital - - -	5,932	7,111	9,019	7,386	7,813	8,314	5,133	2,606	3,412	3,006	2,921	2,698	2,500	67,851
Female Orphan House-Meath Hospital, Fever Department - - -	608 –	1,000 –	2,070 –	1,534 –	2,373 –	2,750 –	2,533 –	2,052 –	1,731 †2,597	1,436 645	1,133 793	999 846	990 832	21,218 5,713
Cow-pock Institution -	100	100	150	150	150	150	150	150	146	175	200	200	200	2,021
Shelter for Females -	–	–	–	–	–	–	–	–	–	66	50	50	50	216
For the period £	8,090	14,199	16,783	13,798	18,622	20,910	17,225	13,050	16,687	13,045	13.046	13,414	11,442	190,311

* The increased average in this period arose from extra grants made in 1836 and 1837, in consequence of an epidemic.

† The grant and arrangement were made in 1826, in consequence of the prevalent epidemic at that period.

Immediately after the Union, Dublin, it may be said, ceased to be a metropolis as regards the wealthy, while it continued a metropolis as regards the poor; and in no inconsiderable degree it has remained so since. The causes, therefore, which induced those who framed the Articles of Union to introduce stipulations into that measure as regards Dublin, appear to us to be still in extensive operation. *Other causes likewise, (not, however, having effect on Dublin alone,)—the increase of population, without a corresponding increase in wealth; the want of capital; the decay of manufactures in Ireland, operating to increase the proportion of poor,—have operated likewise to increase rather than diminish the cogency of those reasons which led to the stipulations in the Articles of Union.*

In evidence of this, we beg leave to notice the increased accommodation which the governors at different periods, and with the sanction of Government, have been compelled to supply in most of those institutions, and the increased grants, notwithstanding the financial difficulties of the empire, which various Governments have deemed it necessary to make for their support.

In further evidence of this disproportionate increase of the poorer classes in Dublin, we have to observe that, notwithstanding the support thus rendered by Government to certain institutions, others of a similar character, arising, principally, out of the exigencies of the lower classes, have been established and are supported, some by private means alone, and some partly from private means and partly from local assessment.

We therefore submit, that the necessity which was found to exist previous to and at the time of the Union for extraneous support as regards Dublin, in aid of its principal charitable institutions, (arising, in our opinion, from the disproportion between the wealthy and poor classes in the community,) has, as was anticipated, increased since that period, and still continues, although we trust, and believe, it may be now gradually diminishing."

This was the opinion expressed by Commissioners in 1842, and the Committee of 1854 tell the Legislature in a pathetic, because most wofully true, paragraph of their Report—

"The City of Dublin is in a position peculiar to itself, as compared with other towns of the empire. It is a metropolis for the poor but not for the rich. The value of its property has, within the last 14 years, decreased, while local taxation, population, and pauperism have increased. It has been shown that the ability of Dublin to support charitable institutions is less than it was when the Commissioners reported in 1842. Almost every witness has stated, that it would be impossible to raise a sufficient sum to preserve the hospitals in an efficient state, either by voluntary subscription or local taxation; a withdrawal of the grant would, therefore, have the effect of

entirely closing some, and of impairing materially the efficiency of all, these valuable institutions." *

To these facts may be added this, that the Dublin Hospitals are not alone institutions for the relief of the afflicted of the City, "a metropolis for the poor," but may likewise be considered as Hospitals for the Country generally—at least for a large and important class of cases.

There is another and a grave argument in support of our claim for Governmental aid of the Hospitals—they make the chief, of many, causes which have conduced to render the medical schools of Dublin, world-known and respected If all the grants were withdrawn, Dublin *might* still remain a medical school, were it but for the facilities it affords in anatomy; this school, however, could only raise the question, whether the education would be worse than none. There would remain no Hospital capable of supporting 100 beds—no opportunities for affording instruction in the knowledge and treatment of fever, or of the contagious or epidemic diseases, and there would thus be sent into the Army, the Navy, and all departments of the public and private service, Medical Officers of an inferior class of inferior education, whose practice might eventually become no better than that system of the doctors, in Foote's farce, *The Devil on Two Sticks*, where the *President* says to *Bolus*,

"'What was the treatment yesterday?'

Bolus.—'We jalaped the right ward and phlebotomized the left.'

President.—'Then, jalap the left ward to-day, and phlebotomize the right.'"

To talk of supporting private schools in Dublin, is a folly so absurd, that he who writes it must be either grossly ignorant or particularly dishonest. But if arguments, convincing and plain, in support of our views be required, they are furnished in the history of the difficulties experienced in supporting the school of Guy's Hospital, when started by Sir Astley Cooper, after his rupture with the authorities at St. Thomas's. †

* See "Report," p. 8.

† See "The Life of Sir Astley Cooper, Bart., Interspersed with Sketches from his Note Books of Distinguished Contemporary Characters," By Bransby Blake Cooper, Esq., F R.S. London: J. W. Parker, 1843, Vol. II., p. 251.

There are, at present, of the Medico-Chirurgical educational Hospitals, only two in which the pupils have an opportunity of studying fever, in its varied forms of ordinary and typhus—the Meath Hospital, and the Hospitals of the House of Industry: in these only can the student study the fevers we have mentioned, or the several eruptive fevers, small pox, scarlatina, measles, and other diseases of these classes.

In our mind, it was not the intention of any Government, until the Report of the Committee of 1848, to withdraw the grants from these institutions; and that not only it was not the intention to terminate the grant in twenty years after the Union, but that the necessity of increased hospital support for Dublin was recognized, is, we think, strongly evidenced by the date of the erection of some of the hospitals—The Hardwicke Fever Hospital, one of the departments of the House of Industry Hospitals, was erected in 1803; the Richmond Hospital, in its present site, in 1811; and the Whitworth Hospital, in 1817, within three years of the term supposed to have been allowed for the maintenance of those Hospitals. It should be remarked too, that those Hospitals were named after the Lord Lieutenants of the day, who were of various parties.

Thus founded, and supported by Government during so many years; having given so many valuable public servants to the Army and Navy; having sent forth those who were champions of humanity, and martyrs to duty during the times of pestilence,* we would hope that the Legislature will continue the grants, were it but in consideration of these benefits conferred by the Hospitals on the country, and which are so admirably recounted, in that paragraph of the *Report* which states—

"A medical school of the highest repute has been established in Dublin, which is almost entirely dependent on the indirect mode of support by Parliamentary Grant to these hospitals. The system of instruction pursued appears to possess many advantages. Sir Benjamin Brodie has stated in his evidence, that its continuance is, '*as a national object*,' very important. The most eminent physicians and surgeons in Dublin devote a great portion of their time to instruction and hospital attendance. Separate schools are attached to the different hospitals, which has the salutary effect of creating emulation. Museums, founded at great expense, and admirably adapted for their purpose, exist. Except in a very few cases the salaries of

* Of 473 Medical Officers, appointed in 1847-8, under the Temporary Fever Act, 36 died.

the medical officers are not derived from the funds of the institutions. Their emoluments arise from pupils' fees. This system, thus nearly self-supporting, has hitherto been most successful. Ireland has been furnished from Dublin, even in its remote districts, with medical men of sound education. 968 Dispensaries have now to be supplied with properly-qualified attendants: the withdrawal of these Hospital grants would, in the opinion of your Committee, occasion the ruin of this great educational system; and at a time when Parliament has shown so munificent a disposition towards the diffusion of knowledge, and the encouragement of science and art, your Committee hope that it will not hesitate to provide an adequate sum for the development of that science which is most beneficial to mankind." *

We are fully aware of the fact, that very excellent men have argued in support of the views of those who hold that the Hospitals should be supported by voluntary contributions, and some very strange statements have been made, from time to time, upon the subject; amongst the most remarkable of these, is one contained in a letter, addressed by Mr. Edward Lucas, in February, 1842, he being the Under Secretary, to the Commissioners of Inquiry, who reported that year. The gravity and oddity of the letter, remind one of the paragraph in Swift's *Modest Proposal for Preventing the Children of Poor People in Ireland, from being a Burden to their Parents or Country, and for making them Beneficial to the Public,* in which, after stating that whoever should discover some method of disposing of these children, to the advantage of the country, would deserve "to have his statue set up for a preserver of the nation," he proposes that one thousand families of Dublin should use infants' flesh constantly for food, by which means about twenty thousand carcasses could be annually disposed of in the city, and about eighty thousand at a somewhat cheaper rate in the remainder of the Kingdom. This pamphlet of the Dean's, half humorous, half satirical, was once quoted by a foreign writer, as an authority proving the wretched condition of the Irish people; and were it not that Mr. Lucas's Letter appears in that most grave of all grave things, a Parliamentary Report, we should consider the following passage from the letter, a piece of very refined and sarcastic humor, levelled at the statesmanship of Earl De Grey, whose rule O'Connell used to call "the Shin of Beef Viceroyalty."

Mr. Lucas's letter is dated, Dublin Castle, 5th February, 1842, and addressed to the Commissioners: after stating to

* See "Report," p. 9.

them the objects of the Commission, he writes, referring to the Lord Lieutenant,—"He sees charities partially, mainly, and in some instances, he understands entirely, supported by public grants, while no such support is given to similar institutions in other parts of the empire. When these grants were originally made, peculiar circumstances may have operated, and no doubt did, to justify them here, which circumstances did not apply elsewhere. His Excellency is desirous to satisfy himself to what extent circumstances will now justify the continuance of those grants, with or without modification; for not only as a public duty is he called upon to satisfy himself on this point, but it is alike due to the institutions themselves; for there can be no question but that public grants, injudiciously bestowed, have a tendency to check private benevolence." If the Hospital grants were injudiciously bestowed, we should not claim for them support; but the very Committee to whom this letter was addressed, reported in terms, that they had sincere gratification in bearing the fullest testimony to the anxious care and attention bestowed upon these Hospitals by all concerned in their management, and that attendance was "rendered in some instances gratuitously, in the others for a remuneration which can hardly be looked upon as an inducement." *

Thus was a reply given to the letter of the Secretary; but if the theory of that letter were carried out, who can say that the £57,000 per annum given to the Hospitals of St. Bartholomew and of St. Thomas would be secure? Who can say that the enormous revenues derived by the London Hospitals, from Crown Lands, would be safe? We claim these grants for the Dublin Hospitals even upon the principle promulgated by Mr. Lucas: we claim them, because not being injudiciously applied they have no tendency to check private benevolence; we claim them because their continuance were advocated by the Commission of 1842; we claim them because their increase and continuance were recommended by the parliamentary Committee of 1854; we claim them because that Committee has emphatically declared that "THE CITY OF DUBLIN IS IN A POSITION PECULIAR TO ITSELF AS COMPARED WITH OTHER TOWNS OF THE EMPIRE. IT IS A METROPOLIS FOR THE POOR, BUT NOT FOR THE RICH;" we claim them because as the Committee declare that the ability of Dublin to "support charitable institutions is less than it was when

* See "Report" p. 9. No. 3. General Report.

the Commissioners reported ;" and we claim them, above all, because, as the same Committee stated, it would be impossible to raise a sufficient sum to preserve the Hospitals, either by voluntary subscriptions or local taxation, and that " A WITHDRAWAL OF THE GRANT WOULD, THEREFORE, HAVE THE EFFECT OF ENTIRELY CLOSING SOME, AND OF IMPAIRING MATERIALLY THE EFFICIENCY OF ALL, THESE VALUABLE INSTITUTIONS.*

Private benevolence too, may, even could it be counted upon, assume the shape of sectarianism, despite the great teaching of the Samaritan; and in a country where party and religious feeling run high as in Ireland, who can say that politics and creed, rather than physical pain and suffering, would not become the best claims to hospital admission. That our doubt is not fanciful is evidenced by the fact, that in the year 1837, the Adelaide Hospital was opened in Bride-street, all the patients of which were to be exclusively of the Protestant religion, and the profession of this religion was a necessary circumstance to secure admission. There can be no objection whatever to the fact, that members of any religious communion should support Hospitals for their co-religionists if they be so disposed; but in this instance religious liking degenerated into the grossest sectarianism, and by a bye-law of the Committee of the Adelaide Hospital it was ruled, that no case of *accident* should be admitted unless the sufferer were a Protestant, and if in the momentary enthusiasm of excited humanity any accident case should be admitted without sufficient enquiry, and if it should be afterwards discovered that the afflicted person so admitted was not a Protestant, he should be *forthwith discharged.* These facts are undoubted, but to the credit of the members generally, very many withdrew their names as subscribers upon learning the existence of such a bye-law, and the hospital was closed in the year 1848.

The principle upon which this bye-law was framed might become common in time, were the hospitals dependent upon voluntary support; even now, amongst the Roman Catholics, the Hospital of St. Vincent de Paul is a favorite, although not sectarian, because it belongs to a religious society of their own communion; and the Charitable Infirmary, in Jervis-street, most of the supporters of which are Roman Catholics, has been, we understand, recently opened to the attendance of the Sisters

* See " Report," p. 8.

of Charity, for those of the patients who may require their ministration. These two latter instances we give, not as showing a false principle, but as exhibiting a tendency which, abused, might become virulently sectarian, as that to which we have referred, when writing above of the Adelaide Hospital.

It has been suggested that these institutions should, as we have already stated, be placed under the control of the Poor Law Commissioners; to this we, in common with all who know the country, emphatically object; it is opposed to the feeling of every industrious but poor person who may require Hospital relief; and it is an effort to hand over those who are sick, but not paupers, to the supervision of a Board whose sphere of duty should on no account be extended beyond that limit now imposed upon it by the law; it is heartlessly and unjustly to transfer the sick to the supervision of a Commission which does not acknowledge the existence of any class in the community between the pauper and the rate payer. We will not argue this question in our own words; it is fully, carefully, and ably stated for us by Dr. Corrigan, in his pamphlet to which we have already referred; writing, in the year 1846, of the Amended Poor Law Act (6 and 7 Vic. 1843) he states his opinions thus:—

"The industrious tradesman, the hard working labourer who happens to be attacked with fever, and needs only hospital relief for a few days, should not be compelled to pass through the gate of the work-house to obtain it, nor should he be obliged to feel on his recovery that he carries about on him the stain of work-house relief. Should his wife or daughters be taken ill they should not be condemned to mingle with the idle, the dissolute, and abandoned, that must ever be found among the inmates of a work-house. There is more danger from such admixture in a fever hospital than in any other hospital, for patients when recovering from fever are necessarily thrown together as convalescents for several days before their discharge. These considerations alone, form, I think, very serious objections to the erection of fever hospitals within work-house precincts. Bnt there are others. Fever hospitals thus erected will not fully attain their object; the people will not avail themselves of them, or comparatively few but the most wretched. They will lie at home spreading contagion around, rather than enter an hospital in connexion with a work-house. I do not speak without experience on this point. Prior to the introduction of the poor law into Ireland, the hospitals of the House of Industry Dublin, were a part of the Institution, and while more or less occupied by the sick inmates of the House of Industry, were at the same time open to the sick of the city at large; in fact circumstanced then precisely as it is now proposed to circumstance the Union Fever Hospitals. I heard it

stated by a distinguished member of the profession, who had been for many years connected with those hospitals, and whose celebrity would of itself have been sufficient to attract patients to them, that there was the greatest repugnance on the part of the people to enter those hospitals, while the connexion with the House of Industry continued. When asked for the reason their invariable reply was, that they 'did not like to mix with beggars.' This is a feeling of honest pride that should be cherished instead of being broken down. Sickness should not be made a chain to drag a man into a poor-house. An hospital should be an institution provided for the decent, the honest, the industrious, who may be suffering from temporary sickness, or accident, to enable them to obtain what is only thus within their reach, the highest professional aid, to restore them as soon as possible to their former station in society, and should never be permitted to be made the medium of degrading its inmate to the level of a pauper. The moral management of the people is of equal importance with their physical relief. The former has, I fear, been lost sight of, in confounding together the sick and the beggar.

"I have heard it said, that the hospitals should be built within the precincts of the workhouses, as they are both supported out of the same rate. It might as well be argued that every county infirmary should be built within the walls of the county jail, and that honest men and virtuous women should be mixed with felons, because the grand jury cess is applied to the support of both. I do think that an hospital for the relief of the poor, virtuous, and industrious member of society, should never be within a workhouse wall."*

In this portion of our paper we have written of the various arguments which have been urged against, and for, the continuance of these grants, and have, in the course of our observations, referred to certain inexplicable figures which appear in a portion of the Census Returns, of 1851, relating to the Dublin Hospitals. We know not, as we have already stated, whether the Legislature may approve or reject the recommendation, that a grant of £16, 000, should be voted for the support of the Dublin Hospitals; but we do know, that if the House of Commons shall accede to the wishes of the Committee, they will do so despite the evidence, the blundering evidence, afforded by the figures of the Census—and if they should refuse to accede to those wishes, they will be mainly supported in that course by its extraordinary tables. The mistakes are all of facts, and are so absurdly wrong, that one can hardly understand by what means such conclusions could have been formed. We refer to them thus, lest, hereafter, this Census might be appealed to as evidence; and as it is possible that its tables

* See "On Famine and Fever, as Cause and Effect in Ireland," pp. 29, 30.

might suit the *Tadpoles* and *Tapers* of future Ministries better for quotation, than the *Report* of the Committee or the evidence taken before it, we shall here explain and note the chiefest, and the most remarkable of its errors. We must, however, state, in the first instance, that wherever we refer to the blunders of the Census, with regard to Hospital accommodation, these blunders are rendered the more glaring and absurd by the fact, that at page 100, of that *Part* o fthe *Report* now before us, it is stated,—"In calculating the amount of Hospital accommodation to the population, the proportions have been made upon the number of beds actually *available, and supported* by the funds of the institution, upon the night of the 30th of March, 1851, and not upon the extent or area of the different buildings, which, in many instances, were capable of affording accommodation to a much greater number of persons than their incomes could at the moment support."

Among the many mischievous mistakes or misrepresentations of that portion of the Census now before us, *Part* III. *Report on the Status of Disease,* we read at page 110, *Table* 1. *Shewing the Number, Age, Sex, and of the Sick at their Own Homes as returned 'On Form C.,' and whether Able or Unable to follow their usual Occupations; together with their Proportion to the Population not provided with Indoor Medical Relief in the several Provinces, Cities and Towns in Ireland,* that there were in Dublin, on the night of the 30th March, 1851, the day on which the Census was taken, only 576 persons sick at their "own homes;" that is, that from about 278,000 inhabitants, only 576 were sick in their houses. If this were true, and taking the number of those sick in Hospital on that day to be correctly numbered in the Census, we find the figures to be as follow :—

Population of Dublin, abont, ...	278,000
Sick in Hospital, on 30th March, 1851,	1,053
Sick in their own houses, ...	576

And these two latter items added, give a total of 1,629 persons sick, in the city of Dublin, on the day on which the Census was taken. These are the figures of the Census; we call them mischievous, because they are false, and are false in a manner giving an argument of peculiar force to those who are desirous of showing that Dublin does not require Parliamentary aid for the support of its Hospitals,

for if, from its large population, only 576 persons were sick in their own houses, on a certain day, its Hospitals must be sufficient for the wants of its people, who should be, if the Census were true, the most healthy of any citizens upon the whole surface of the globe.

He was an observing man who said, "you can prove anything by statistics;" and so you can, provided there be none, save your partizans, or those who are ignorant, to examine them; but having examined these statistics, we most emphatically assert, that they prove nothing, except the drawing-numbers-out-of-a-hat-style of computation. It is absurd to state, that from a population of 278,000, only 756 were sick in their own homes on a certain day. We know it, and we know it to be a fact, that on the 30th day of March, 1851, more than 600 visits were paid by the Dispensary Doctors of Dublin, to those Dispensary patients who were sick in their own houses. If this number be multiplied by four, to give the real number of chronic cases, that is, cases requiring visits only every three or four days, (some perhaps only once in the week,) we have 2,400 of Dispensary patients sick in their own homes on a given day. But if we turn to the middle and upper classes, and if we find that there are three hundred physicians, surgeons, and apothecaries in Dublin; and if we find that each of these sees only five patients each day, in the patients' homes, (and an apothecary in good business sees from ten to twenty patients of the upper classes of tradesmen, clerks, and shop-keepers in bed,) we find the numbers sick at their own homes to be, on a given day, 1,500: and if we multiply this number by four, as in the first instance, and for the same reason, we find the total of this class sick, at their own residences on a given day, to amount to 6,000. If the totals of both classes be added together, the grand total of those sick in Dublin, in their own homes on a certain day, will be, we assert, 8,400,—but the Census states it at 576,—which leaves a balance, between its calculation and ours, of 7,824.

The second blunder of the Census consists in the fact, that at *Table I.—Showing the Locality, Date of Erection, Amount of Accommodation, and Number of Patients in each of the Infirmaries, Fever, General and Special Hospitals, for the Temporary Reception of the sick in Ireland, as they existed on the night of the 30th March* 1851, *with the proportion of Accommodation to the Population not otherwise provided with Indoor Medical*

Relief, the number of beds, as given by the Census, is actually 588 beyond the number really available. In the following table we place the numbers in the first column, with the totals of accommodation, as given by the Census; in the second column we present those totals as corrected by us:—

Name, Definition, and Locality of Hospital.	According to Census.	Corrected.	Observations.
Royal Hospital Infirmary, Kilmainham	42	None for the Public	For Soldiers only.
Charitable Infirmary, Jervis-st.	80	50	
Steevens' Hospital	200	120	80 beds set aside for Constabulary.
Mercer's Hospital	70	60	
St. Mark's Ophthalmic Hospital	20		
Westmoreland Lock Hospital	101	40	
Meath Hospital and County Dublin Infirmary	100		
Hardwicke Fever Hospital	120		
Fever Hospital and House of Recovery, Cork-street	120		
Richmond Surgical Hospital	110		
Sir Patrick Dun's Hospital	120	60	
Whitworth Chronic Hospital, North Brunswick-street	82		
Maison de Santé, George's-place-	20		A private Institution.
Whitworth Fever Hospital, Drumcondra	36	Closed in 1848	Census states no return could be obtained.
City of Dublin Hospital	100	60	
Coombe Lying-in Hospital	40		
Angleseas Lying-in Hospital, Peter street	15		
St. Vincent's Hospital	100		Many, not Catholics, object to entering even if recommended by a subscriber.
Rotunda Lying-in Hospital	140	100	

Upon this table we would observe, that the total number of beds, as given by the Census, is 1,616, but if from this our deductions be taken, it should be only 1,126; and if the 20 beds of the Maison de Santé, the 36 beds of the Whitworth Fever Hospital, Drumcondra, closed since 1848, and the 42 beds of the Royal Hospital be also subtracted from the total of the Census, the accommodation in beds in the Dublin Hospitals will be 1,028, or 588 less than that stated in the Census.

Another point to be observed in this table is, that although Sir Patrick Dun's Hospital is stated to afford accommodation to the number of 120 beds, we assert that it contains only 60, and we do so upon authority. We further state, that by a clause in Sir Patrick Dun's Will, the Professors of Midwifery, and Medical Jurisprudence, are to be without salary *until the Hospital shall be capable of supporting* 100

beds. Now if the Hospital supports 120 beds, Dr. Montgomery, as Professor of Midwifery, and Doctor Brady, as Professor of Jurisprudence, are entitled, by the provision of the Will, to their salaries—and as we have never yet learned that either of these gentlemen has ever received one farthing salary, we must presume that our figures are more correct than those furnished in the table of the Census.

The reader can now understand the sources of that dissatisfaction which has been so generally expressed by those who are acquainted with the true history of this Blue Book. Its mistakes are not confined to Dublin. We have heard, from the very best authority, that the Belfast Hospital has been disfranchised by some of the Colleges, as not supporting 100 beds—yet, in the Census, it is stated to contain 240; and a like ridiculous error has been committed in the returns of one of the Cork Hospitals. These random computations remind us of an odd passage in the *Religio Medici*, where Sir Thomas Browne tells the reader that "in philosophy, where truth seems doublefaced, there is no man more paradoxical than myself"—so, in this Census, *Part III.*, where facts and figures seemed uncertain, the paradoxical statistician indulged his humor by such flights of arithmetic fancy as throwing open to the public a Military Hospital; noting Drumcondra Fever Hospital for 36 beds, though closed these six years, and discovering only 576 persons sick in their own homes in the city of Dublin, on the 30th March, 1851.

Every man in Ireland is interested in the knowledge of these facts; all should know the bearings of this attempt to destroy the Hospitals and Medical Schools of Dublin, and should be aware of every event connected with the means, intentional and unintentional, designed and innocent, by which the friends of centralization and unwise economy attempted to gain evidence to support their views of semi-spoliation.

We have sketched this history; we have recounted the opinions of various Committees, and Commissioners, and have stated the means recommended by these well informed, and carefully directed authorities. We are unwilling that the Dublin Hospitals should be destroyed; that the Dublin Schools of Medicine, of Surgery, and of Anatomy should be closed; that Medical education—that practical knowledge without which, a physician is but a poisoner, and a surgeon only a butcher,—and for

the diffusion of which, in our own city, Mosse, and Steevens, and Carmichael bequeathed their fortunes, should become an impossibility, or an imposture. Because we are unwilling that these things should happen we have written thus, and two additional reasons, inciting us to this course, pressed strongly upon our mind—we wished to save the poor of the city from the devastating effects which must follow in the first epidemic which may afflict this nation; and we desired to prove to our readers, that the claim of Dublin to these grants is founded in reason, supported by justice, backed by authority, and rendered irrefutable and inalienable by the force of all these, and by facts, figures, and patent proofs. If even the recommendations of the Committee of 1854 be now adopted, who can assert that the grants are secure, and that some man who weighs life and health in the balance of political economy may not, in a few years, once more attack these Institutions which are to-day objects of Parliamentary support. What matters it that the Committee has just recommended a continuance of the grant. Such was the recommendation of the Commissioners of 1842, and yet the Committee of 1849 desired the abrogation of the grants; the Hospitals are, for the present, saved, because men of ability, learning, and honesty have labored to defend them.

Knowing these things, believing too, that when the next effort against the Hospitals shall be essayed, men of ability inferior to those lately examined may be their only supporters, we have endeavoured here, to place all the facts of the case, as proved by these, and others, before the reader, that thus he may be able to form his own judgment, and to defend the most important and meritorious of our Institutions; thus he can prove, to the doubting or the carping, the facts upon which the Committee of the House of Commons of 1854 founded the recommendations of their *Report*—recommendations so perfectly epitomized in the words—"The City of Dublin is in a position peculiar to itself, as compared with other towns of the empire. It is a metropolis for the poor, but not for the rich. It would be impossible to raise a sufficient sum to preserve the Hospitals in an efficient state, either by voluntary subscriptions or local taxation; a withdrawal of the grant would, therefore, have the effect of entirely closing some, and of impairing materially the efficiency of all these valuable institutions."

Art VI.—ENGLISH SONGS AND ENGLISH MUSIC.

The Illustrated Book of English Songs, From the Sixteenth to the Nineteenth Century. Third Edition. Illustrated London Library. London: Ingram and Cook. 1853.

We confess to a partiality for the old music—We would add to *Mr. Hardcastle's* declaration of a fondness for old things, a love of old music—There is an influence in its sound, in the sound of the strains that we were wont to hear upon our nurse's knee in the old time, of a soothing and perhaps saddening character, which the finest productions of modern days fail to excite. How beautifully and how truly has *The Duke* in *Twelfth Night*, expressed this, when he asks for

> "That old and antique song we heard last night,"

And says—

> "Methought it did relieve my passion much,
> More than light airs and recollected terms,
> Of these most brisk and giddy paced times."

And again, when addressing *Viola*, he exclaims—

> "Mark it, Cesario, it is old and plain;
> The spinsters and the knitters in the sun,
> And the free maids that weave their threads with bones,
> Do use to chaunt it; it is silly sooth,
> And dallies with the innocence of love,
> Like the old age."—

It is especially in the old songs of our native land that these influences are felt; in those songs of which the words and music are hallowed by memory, and which, like the mournful tale, told by "Carril of other times," send our souls back to the ages of old, and the days of other years.—The old song has gladdened the hearts of our fathers in the Baronial Halls now crumbling into ruins; it has awakened the echoes and startled the dull ear of the night, when in the pale moonlight it was sung by the shepherd watching his flocks on the lonely hill side;—the youthful maiden has sung it to the music of her spinnet or harpsichord, when, a hundred years ago, she soothed her passion, or cheered her father's guests with its strains. It comes to us as fresh and unexhausted in its influences, as though but the breath of an hour; and when we, of the present generation, shall have given

place to another, it shall still cheer and soothe, and sadden our children's children, and perhaps keep our memory green, when other memorials and tokens shall have vanished and been forgotten.

When the children of Israel were carried into bondage, when the fetters were riveted on their limbs, and a life of hopeless slavery appeared their lot, they hung upon the willows, that grew by the banks of the proud Euphrates, those harps on which in their own land, when free and happy, they were wont to awaken the strains of their native music. How beautifully has the Psalmist shown, in a few simple words, the deep and total prostration of their hopes and spirits, when he thus describes them as replying to their captors' commands, that they should sing to them the songs of Sion—"How shall we sing the songs of the Lord in a foreign land?" How entirely must they have been subdued—how totally wasted and cut down, when they found themselves unequal to the task, that to other exiles had been a pleasing and a soothing solace? The emigrant, forced by the pressure of want at home to forsake his native hills, and seek the wild unknown shores of a far distant land, hears, in the still night, musing on his country and his home, the strains of his country's music. The singer, an exile like himself, is singing one of the old songs of the loved country! The sounds floating on the air, sink softly and sadly upon the listener's heart; a thousand recollections rise in his soul. He beholds once more, with all the vividness of reality, the fields, the streams, the hills and valleys, where he first heard that song; the days of his childhood rise before him, in all their fresh and pure reality, and the worn, and harassed, and broken man is, once again, the joyous, and careless, and happy boy.

Whatever may be the merits of our song writers, in a poetical point of view, the literature of these countries is singularly rich in charming songs married to music as exquisite.—The genius of Arne and of Purcell has illustrated the songs of Shakspere, adding another beauty to the creations of his fancy. Dramatic writers are, amongst us, usually the best song writers, and this is well illustrated in the instance of Shakspere.—No Dramatic writer has interspersed, among his plays, so many and such perfect lyrics: of his fourteen comedies, but three or four are without songs, and he has lost no suitable occasion of declaring his fondness for music. Every one is familiar with *Lorenzo's*

description of its effects, when, in reply to *Jessica*, who says,—"I am never merry, when I hear sweet music," he exclaims—

"The reason is your spirits are attentive!
For do but note a wild and wanton herd,
Or race, of youthful and unhandled colts,
Fetching mad bounds, bellowing and neighing loud,
Which is the hot condition of their blood!
If they but hear perchance a trumpet sound,
Or any air of music touch their ears,
You shall perceive them make a mutual stand,
Their savage eyes turned to a modest gaze,
By the sweet power of music: therefore the poet
Did feign that Orpheus drew trees, stones and floods!
Since nought so stockish, hard, and full of rage,
But music for the time doth change his nature.
The man that hath no music in himself,
Nor is not moved with concord of sweet sounds,
Is fit for treasons, stratagems, and spoils,
The motions of his spirit are dull as night,
And his affections dark as Erebus!
Let no such man be trusted."

And just before, when he directs *Stephano* to have the music removed to the open air, how exquisitely does he describe the moonlight scene, and the effect of melody—

"How sweet the moonlight sleeps upon this bank!
Here will we sit, and let the sounds of music
Creep in our ears: soft stillness and the night,
Become the touches of sweet harmony.
Sit, Jessica; look how the floor of heaven
Is thick inlaid with patines of bright gold;
There's not the smallest orb which thou beholdest,
But in his motion like an angel sings,
Still quiring to the young-eyed cherubims;
Such harmony is in immortal souls!
But whilst this muddy vesture of decay
Doth grossly close it in, we cannot hear it."

In *The Tempest* Shakspere has created an Island, the very *air* of which is musical—*Ariel*, that most etherial of sprites, floating invisible in the air, uses his songs to perplex, yet charm, *Ferdinand*, and when at last released from his

captivity, and from his attendance on his master, *Prospero*, how joyfully does he burst forth into that blithest of songs, to which Arne has given a melody so illustrative of its spirit. With what joyous exultation does he anticipate the perfect freedom of his flight, the wanton playfulness of his new existence—following summer in its course round the globe, his life one perpetual summer day, and then, no longer able to contain his delight at the prospect, he carols forth, with overflowing glee—

> "Merrily, merrily, shall I live now,
> Under the blossom that hangs on the bough."

Never surely was there a song so meet for a merry sprite. *As you like it*, that sweetest picture of sylvan life, contains many songs, and to them has Arne, again, with complete success, applied the powers of his rich musical genius: *Blow, blow, thou winter wind*, is also a fine specimen of music married to the verse. The music breathes the spirit of the words, tender melancholy, and plaintively complaining;—how sweetly does *Amiens* picture the simplicity of a wood-man's existence, reclining under the spreading shade of the greenwood tree, and tuning his pipe to the music of the wild bird.—In *Cymbeline*, how suitably do *Cloten's* musicians waken *Imogen*, with, *Hark the lark!* What sweeter matin strain could a lover select with which to wake his mistress, than this glee as harmonized by Dr. Cooke, in which we can fancy that we hear the thrilling notes of the lark, as soaring aloft he pierces the air with his song, caroling even "at Heaven's gate."—In the *Merchant of Venice* there occurs, in the third act, the song, or now, with Bishop's music, world-known duet, *Tell me where is fancy*. The fourth act of *Measure for Measure* opens with the song, *Take, oh take those lips away*, ascribed by some to Nicholas Breton, by others to Beaumont and Fletcher,—and the last act of *Love's Labour Lost*, concludes with a song supposed to be sung by *Spring*.—*When daisies pied and violets blue*, the sweet music of which (for it we are again indebted to Arne) would probably be never heard on the stage, were it not usually sung by *Rosalind* in *As you like it*, when it happens that the actress personating that character *can* sing.—The following song, from *The Two Gentlemen of Verona*, has been set to a very pleasing melody:—

Who is Sylvia? what is she?
That all our swains commend her;
Holy, fair and wise is she;
The heavens such grace did lend her
That she might admired be.

Is she kind as she is fair?
For beauty lives with kindness;
Love doth to her eyes repair,
To help him of his blindness;
And being helped inhabits there.

Then to Sylvia let us sing,
That Sylvia is excelling;
She excels each mortal thing,
Upon the dull earth dwelling;
To her let us garlands bring!

Lock's music has become identified with *Macbeth*.—In this music how admirably the wild unearthly character is displayed—the music sung by *Hecate* is particularly fine, and though, it is true, the words are not Shakspere's, yet associated as they have been with such music, they are not unworthy of him. The devilish exultation of the *Witches* at the prospect of the sanguinary deeds of *Macbeth*, and which they call on one another to show by dancing to "the echo of a hollow hill"—the solemn dignity of *Hecate*, anointed with "new fallen dew from church yard yew," the "dainty pleasure," "to sail in the air, while the moon shines fair," are all expressed with an original strength, a force, and spirit and massive power, which have never been excelled, and probably never equalled. To us, and we confess it without hesitation, no small part of the attraction of the representation of this noble play—and we have never missed it without regret—lies in this inimitable music, which, when well performed, as such music should always be, forcibly realizes all the wild mysterious influence of the weird sisters on the blasted heath.

We are aware that many affect to despise the composition of songs, and to consider such productions as easy and simple, and yet it is undoubted, that to excel in song writing is no mean indication of genius.—To condense into a few lines all the tenderness of love, or the martial fire of war, all the soft simplicity of rural life, or the overflowing hilarity of convivial glee,

demands a considerable exercise of skill, combined with high poetic inspiration. We find it impossible to agree in opinion with a popular author, himself one of our best modern song writers, that our literature is particularly barren of songs. It is true, as he remarks, that none of our first geniuses have made songs the chief subject of the exercise of their powers, or have devoted themselves exclusively, or even earnestly to their production; but they have, from time to time, scattered, through their larger works, many pearls of song, which, if they do not entirely enrich our literature, will for ever save it from the imputation of poverty.—It is not our present intention to trace elaborately the progress of the ballad, and subsequently of the song—our attention shall be chiefly directed to those songs which are associated in our minds with their music, to which every real song should be easy of adaptation.—We have already glanced at the songs so numerously interspersed among the plays of Shakspere, and have noticed, with satisfaction, the good taste and correct judgment of our best composers, in selecting these songs for their musical inspirations: how forcibly does the humility of these sons of real genius contrast with the vanity of many modern composers, who are unable to find, among the songs of our eminent poets, any worthy of their labor; and who can only condescend to bestow their strains on songs expressly written, and designed for that honor. The result inevitably is—songs without poetry, and music without melody.

It would doubtless surprize many of our readers to learn, that the song very familiar in their younger days, *Cherry Ripe*, is the production of a poet who lived so long ago as the beginning of the 17th century. Robert Herrick is the writer of many pleasing songs, of which *Cherry Ripe* is, perhaps, best known to the general public, a popularity doubtles, not altogether unattributable to the pleasing music to which, some thirty years ago, it was set by Mr. Charles Horn. Among Herrick's other songs are, *Gather ye rose buds, while ye may*, the idea of which he has borrowed from Spenser, and which Campbell called a "sweetly Anacreontic" song,—*Go, happy Rose*, and that addressed to his mistress, *Choose me for your Valentine*. George Wither, one of that now numerous band of geniuses who, forsaking the dry study of the law, originally adopted from immature choice, or from necessity, for the more congenial pursuits of literature, is the author of

some beautiful songs, amongst which *The Shepherd's Resolution* is remarkable no less for its philosophical good sense than it is pleasing for its poetry.—It gives a good practical lesson to all despairing swains, who, overwhelmed with anguish at the cruelty of their respective "ladye loves," breathe nothing but self-destruction and death—a lesson which, if learned and applied, would have preserved to the world (if indeed worth preserving) many an ardent youth cut off by suicidal hand in early life—that is, if *Rosalind* be not a libeller of all true lovers, when she says, that "men have died ere now in the olden time, and worms have eaten them, but not for love." This song has been set to music by Mr. Henry Phillips, the most truthful and expressive interpreter of our songs, whether Amorous, Naval, or Bacchanalian. Dr. Warton has erroneously ascribed another of Wither's songs, *I loved a lass, a faire one*, to Taylor, the Water Poet.

Thomas Heywood, whom Charles Lamb has called a prose Shakspere, and who was born about the end of the sixteenth century, is the author of a song which Mozart deemed worthy of his music, and which was a favorite and popular lyric some thirty years ago. It runs thus :—

Pack clouds away, and welcome day,
With night we banish sorrow,
Sweet air blow soft, mount larks aloft,
To give my love good morrow.
Wings from the wind, to please her mind,
Notes from the lark I'll borrow ;
Bird, plume thy wing—nightingale, sing,
To give my love good morrow.

Wake from thy nest, robin redbreast ;
Sing, birds, in every furrow ;
And from each hill, let music shrill,
Give my fair love good morrow.
Blackbird and thrush in every bush,
Stare, linnet, and cock sparrow ;
You pretty elves, among yourselves,
Sing my fair love good moroow !

Christopher Marlowe, a poet and dramatist of the Elizabethan age, is the author of a beautiful song, *The passionate Shepherd to his love*, commencing, "Come live with me and be my love." There has been some controversy about the authorship of this pleasing song. It has been ascribed to Shakspere, and published with his name attached, and *Parson*

Evans, in *The Merry Wives of Windsor*, sings a few of the lines; but the manner in which it is there introduced, rather favors the presumption that the song is not Shakspere's. Isaac Walton, in his *Complete Angler*, we think with justice, ascribes the song to Marlowe, and Shakspere, with even stronger claims to the authorship, can well afford to surrender the merit of its composition.

Our space would not admit even a passing notice of a number of songs of considerable merit, the productions of Suckling, Brown, Edmund Waller, and many others; especially as we wish particularly to direct our attention to those songs which have been associated with music.

The production of *The Beggar's Opera* introduced to the public a class of songs which, while they possessed a high degree of musical excellence, were peculiarly adapted to memory, and to please the popular taste. That they should be successful in this last particular, affords no mean criterion of their intrinsic worth. The idea of the opera is said to have originated with Swift, who remarked to Gay, that a "Newgate pastoral might make a pretty sort of thing." It is said that its principal purpose was to ridicule the Italian Opera, but it is now regarded much more as an illustration of the beauties of old English melody, from which the airs were chiefly selected and arranged by Dr. Pepusch to Gay's words. * It was first performed in 1727, at Lincoln's Inn-fields, having been previously refused at Drury-lane. It had an uninterrupted run of sixty-three nights, and gave occasion to the saying, that it had made Gay rich, and Rich (the manager) gay. The profits of the opera were not considerable; Gay realized a sum of but £400; but the Lord Chamberlain having refused to license a second part of the opera called *Polly*, Gay's friends, and the party in opposition, came forward, and raised by subscription, a sum of £1,200. Many of the allusions in *The Beggar's Opera* were considered to have a political character, and the quarrel scene, in particular, between *Peachum* and *Lockit*, as a burlesque of a serious quarrel, which arose one day between Sir Robert Walpole and Lord Townsend, at the house of Colonel Selwyn; but others, seeing

* Ireland, in his "Hogarth Illustrated," tells us of an Italian, who concluded a speech, calculated to throw Gay's talents into contempt, with "Sare, this simple Signor, did try to pelt my Countrimen out of England wid 'lomps of Pudding,'" this being the old name of one of Gay's airs.

no political allusion, have designated it as a burlesque of the celebrated scene, in Shakspere's *Julius Cæsar*, between *Brutus* and *Cassius*.

Miss Fenton, the original *Polly*, had the good fortune to captivate the Duke of Bolton, and eventually become his Duchess; but Thomas Walker, the original *Macheath*, owed his ruin to the success which attended his performance. His success made him the associate and companion of men of much higher rank than his own, who, pleased with his conversation and flow of spirits, introduced him into habits which speedily procured his dismissal from the London stage, and he died, seven or eight years afterwards in Dublin, in absolute penury.

An amusing story is told of Joe Hall, the original *Lockit* In the year 1730, the scene room at Covent Garden Theatre had taken fire, to the great alarm of the audience, and Rich, the manager, desired Joe Hall to go upon the stage and relieve the public anxiety by an explanation, which he did as follows:—"Ladies and Gentlemen, for Heaven's sake don't be frightened, don't stir, keep your seats, the fire is almost extinguished, but even if it was not, we have a reservoir of one hundred hogsheads of water over your heads, that would drown you all in a few minutes."

With the tendency and influence of *The Beggar's Opera*, in a moral point of view, we have at present no concern, but we are strongly of opinion that its success is attributable solely to the beauty of the airs with which it is interspersed, and the skill and feeling with which, in successive representations, these airs have been and continue to be sung. We are softened by the pathos of *Polly's, Oh Ponder well;* soothed by the sweetness of *Macheath's, When the heart of a man,* and roused by the spirit of *Mat o' the Mint's, Fill every glass,* and *Let us take the road.*

We have stated that Gay wrote an opera entitled *Polly*, a continuation of *The Beggars Opera*, which the Lord Chamberlain refused to license, but which was subsequently performed at the Haymarket Theatre, in 1777. As in *The Beggar's Opera*, the songs were written to old airs, such as *Waly Waly up the Bank, O Jenny come tie Me, Christ Church Bells, Hunt the Squirrel, Down in a Meadow*, &c. &c. Inferior in every respect to *The Beggar's Opera*, it was even more obnoxious on account of its grossness and indelicacy. *Polly* re-appears in the West Indies, in the course of her roaming after *Macheath*, who has received an inadequate reward of his merits, in a sentence of transportation, and whom

she pursues with all the fondness of her earlier attachment; she there meets with *Diana Trapes*, who is driving her disreputable trade with vigor, on, as she herself expresses it, "the other side of the herring pond." *Mrs. Trapes* endeavours to secure *Polly* for a wealthy customer, *Mr. Ducat*, into whose house *Polly* enters as a servant. *Macheath*, under the name of *Morano*, has, from a highwayman, become a pirate, and married *Jenny Diver*, to satisfy whose jealous watchfulness he has consented to dye his complexion black, and so avoid the chance of recognition by any of his numerous female dupes. Eventually *Polly*, disguised as a man, falls in with a party of Indians, who, having taken *Macheath* prisoner in battle, appease offended Justice by his death; and *Polly*, informed of his execution, which she too late tries to prevent, is at first overwhelmed with grief at her loss, and justly indignant at the boldness with which *Jenny Diver* asserts her claim to conjugal dignity, yet subsequently consoles herself, by accepting the hand and fortune of an Indian prince, rejoicing in the euphonious title of *Cowwakee*. This Opera was unsuccessful, though, indeed, no very strenuous efforts appear to have been made, either to ensure its success or give it a very lasting trial.

Gay's *Acis and Galatea* would, probably, never have obtained any great notice were it not for its being associated with Handel's music. This musical drama, or as it is usually called, Serenata, contains some of that composer's most delightful music.—It was not intended for representation in the usual manner of an opera, though it was, in the year 1732, so performed at the Haymarket Theatre. Some years ago it was again produced in this way at Drury-lane Theatre, under the superintendence of Mr. Macready; and though the attempt was then generally looked upon as unsuccessful, we are ourselves strongly disposed to think that Mr. Macready's usual good taste and excellent judgment were not on this, any more than on any other occasion, at all deficient; we think it quite possible to make *Acis and Galatea*, with suitable action and scenery, a most pleasing musical piece, and our opinion on this point is much fortified by the judicious and elegant manner in which it has been recently so produced by Mr. Harris, at the Theatre in this city.*

* We trust that Mr. Harris has many more such treats in store for the Dublin play-going public, and that it will not be long before we shall have an opportunity of being present at the representation of the "Tempest,"

Black-eyed Susan is, with the *Beggar's Opera*, and *Acis and Galatea*, the only production of Gay's fancy which is associated, in its reputation, with music. This well known song was composed, or adapted, from an old air, by Leveridge, a well known dramatic singer about the end of the seventeenth century, and who is said to have challenged all England to sing a bass song with him for one hundred guineas. Gay is stated to have written this song on Mrs. Montford, the actress, a cotemporary of Cibber. This lady having been unfortunate enough, after her retirement from the stage, to be deprived of her senses, and having, in a lucid interval, ascertained that *Hamlet*, (in which she had been accustomed to play *Ophelia* with great success) was to be performed, escaped from restraint, reached the Theatre while the piece was in progress; contriving to get behind the scenes, she made her way on the stage, and passing the lady who had performed in the beginning of the play, exhibited, with startling reality, the madness of *Ophelia*. The exertion and excitement produced their results in her death, a few days after.

An amusing parody of *Black-eyed Susan* was written upon Sir William Curtis, of gastronomic celebrity, and had its origin, in his having, in the year 1809, accompanied the Walcheren expedition. We are able to recollect but two of the verses, which, if our memory fails us not, run thus:—

All in the Downs the fleet was moor'd,
The streamers waving in the wind,
When Castlereagh appear'd on board,
Oh! where shall I my Curtis find?
Tell me, ye jovial sailors, tell me true,
Does my fat William sail among your crew?

William, who high upon the poop,
Rocked by the billows to and fro,
Heard as he supped his turtle soup,
The well known Viscount's voice below,
The spoon drops greasy from his savoury hands,
And quick as lightning on the deck he stands.

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and hearing all the delightful music of that play, produced without curtailment. For what he *has* done Mr. Harris is deserving of the highest praise, and we trust his efforts have produced, and will continue to produce, him, not merely praise and reputation, but substantial and lasting rewards.

Of Arne's contributions to our music, particularly of the music which he composed for so many of Shakspere's songs, we have already written, and had he never composed *Artaxerxes*, or the airs of the songs in *Love in a Village*, those would alone have sufficed to make him remembered amongst us. His music to Milton's *Comus* is worthy of the poetry; and while a single ship, bearing the English flag, floats upon the sea, his *Rule Britannia* will not be forgotten. The Masque called *Alfred*, in which it occurs, was written jointly by Thompson and Mallet, and was first performed in honor of the birth-day of the Princess of Brunswick—with the exception of *Rule Britannia* it is entirely forgotten. Thousands still think with pleasure, and with all the sweet remembrance of early joys, of that period when the hoarded shilling was cheerfully expended, for a crowded and inconvenient seat in the midst of heat and dust, to hear Braham, or Incledon, or still earlier, the unrivalled Billington, singing with the fervid expression of real feeling, some of those delightful compositions which, alas! have now become unfashionable, and which our modern amateurs and professionals avoid with a delicate horror of every thing antiquated.—Nevertheless, their charm, for the man of real taste, will never die, and we may well write of them in the nervous language of Carlyle, which he applies to all worth, and illustrates by the example of an immortal song writer—

"Beautiful it is to see and understand that no worth known or unknown can die, even this earth. The work an unknown good man has done, is like a vein of water flowing, hidden underground, secretly making the ground green: it flows, and flows, it joins itself with other veins and veinlets; one day it will start forth as a visible perennial well. Ten dumb centuries had made the speaking Dante; a well he of many veinlets. William Burnes, or Burns, was a poor peasant, could not prosper in his 'seven acres of nursery ground,' nor any enterprize of trade and toil: had 'to thole a factor's snash,' and read attorneys' letters in his poor, poor hut, 'which threw us all into tears;' a man of no money capital at all; yet a brave man, a wise and just, in evil fortune faithful, unconquerable to the death. And there wept withal among the others, a boy named Robert, with a heart of melting pity, of greatness and fiery wrath; and his voice, fashioned here by his poor father, does it not already reach, like a great elegy, like a stern prophecy, to the ends of the world? Let me make the songs

and you shall make the laws! What chancellor, king, senator, begirt with never such sumptuosity, dyed velvet, blaring and celebrity, could you have named in England, that was so momentous as that William Burns? Courage!"

The songs of William Shield, even in these days of ultra refinement, are sometimes heard, and certainly never without pleasure, by the lover of pure and sweet melody. With the exception of Charles Dibdin, Shield has, perhaps, produced more songs of merit than any other English composer. *The Thorn*, written by him for Incledon, is still a great and deserved favorite with the elders of these days; we still remember Incledon's singing of it with delight; we have often heard the words of this song attributed to Burns, but we think it owes its production to O'Keeffe, who furnished the words of many of Shield's songs, and in whose piece of *The Farmer*, occurs that beautiful song, *Ere around the huge oak*, one of Shield's happiest efforts. The merit of having written the best, if not the only good hunting song we possess, is due to Shield. *Old Towler*, the words of which were also supplied by O'Keeffe, is a spirited and stirring song, and requires, in the singing, a compass of voice that few can bring to the task—even Incledon only ventured to sing it in the years of his prime. Shield has, in one instance, selected the words for his music from Shakspere, and has written an exquisite three-part song, or glee, we regret to write now but seldom heard, the words of which are to be found in the first scene of the *Midsummer Night's Dream*, where *Helena* extols the envied bliss of *Hermia* in being beloved by *Demetrius*—

"O happy fair!
Your eyes are loadstars, and your tongues sweet air!
More tuneable than lark to shepherd's ear,
When wheat is green, when hawthorn buds appear."

One of his airs in the *Poor Soldier*, *A rose tree in full bearing*, is now well known as the music of Moore's, *I'd mourn the hopes that leave me.*

A characteristic of the songs of Charles Dibdin is the fact, that the words and music were both written by himself.—His *Sailor's Journal*, *Lovely Nan*, *While the lads of the village*, from *The Quaker*, and, *I locked up all my treasure*, are among the best of these; and when we take into consideration that he wrote from thirteen to fourteen hundred songs, it

is a matter of surprize that so many are above mediocrity. His entertainment, in which he was the sole performer, singing his own songs, accompanying himself on the piano, and connecting the songs by prose, was probably the original of all such, though his cotemporary, George Alexander Stevens, is generally considered as the inventor of this class of entertainment, subsequently improved by Mathews, and now so common.

The Bay of Biscay was one of Incledon's most favorite songs. The words were written by Alexander Cherry, a native of Limerick, who was for some years the principal comic actor at our Smock-Alley Theatre. The music was composed by John Davy, and it is said was suggested to him by Incledon, who having heard, at a public house in Wapping, some negro sailors singing in chorus an air which pleased him much, sang it subsequently for Davy, and furnished him with the now celebrated *Bay of Biscay*. Cherry was the writer of another well known song, *Tom Moody*, the music of which was composed by Shield. Those who cannot recollect Incledon's singing of the *Bay of Biscay*, may, perhaps, have heard Braham's performance of it when in his prime, and thus been enabled to form an idea of the effect produced by the former.

No composer has, perhaps, in his music, more happily caught the spirit of the poetry to which he has united that music, than Thomas Carter, in Bishop Percy's song—*Nannie wilt thou gang with me?* which Robert Burns justly affirmed to be the most beautiful composition of its kind in the English language. All the plaintive tenderness of the words is expressed again in the music, and we have never heard it sung and been charmed with its melody, without regretting the small number of Carter's compositions. As a contrast to the sweet softness of this air, may be mentioned his well known song, *Stand to your guns, my hearts of oak*, which Braham used to sing so powerfully. Carter was an Irishman, had been brought up in the choir of Christ Church, and was organist to Werburgh's Church in Dublin. O'Keeffe, in his *Recollections*, tells us the following anecdote of him :—

"I wrote the epilogue to Mr. Cowley's comedy of *A Bold Stroke for a Husband*, produced at Covent Garden, in the year 1783; it was partly musical, and to a pretty simple tune that I heard at the house of Gilbert Mahon, in Saint James' Square. He was the finest singer in a room I ever heard, and sang it accompanying himself with his guitar; on my admiring

the tune, he told me I was very welcome to it, if of any use to me. The next day I wrote words to it. Mr. Cowley's comedy was acted, and Mrs. Mattocks warbled the epilogue with great success; Longman and Broderip, music-sellers in the Haymarket, entered into treaty with me for the purchase of it, and I agreed to sell it to them, the words being my own, and the music the gift, as I considered, of Gilbert Mahon. A few days after, Thomas Carter, the composer, called upon me in high indignation; he said the music was his own original composition, that Mahon had no right to sing it to me, I had no right to put words to it; Mrs. Mattocks had no right to sing it on the stage, the band had no right to accompany her in it; and Longman and Broderip had no right to buy it of me, or sell it to the public in their shop. On this explanation, I relinquished to Carter his own property, but had much difficulty in calming the enraged musician.—We were shut up a long time in a room in the Blueposts Tavern, in St. Alban's-street, and though I made him a present of my own words to sell, he would scarcely listen to me. Men of genius are sincere, even in their wildest paroxysms of anger. I was therefore induced to soothe, rather than resent, Carter's passion. I told him, if he would be quiet and lend me his fine ears, I would sing him a song. I sang his own delightful composition of *Nanny wilt thou gang with me?* We were at last friends."

Hook's pleasing song, *The Lass of Richmond Hill*, is now but rarely heard. Mr. Hook wrote a vast number of songs for the Vauxhall Gardens, and other places of amusement. He was father of Theodore Hook of facetious memory. The music of this song was long ascribed by the public to the Prince of Wales. The words are said by some, to have been written by Mr. Upton, who like Hook, contributed a great number of the songs sung at the places of public amusement in his time; Sir Jonah Barrington, however, in his *Personal Recollections*, gives *The Lass of Richmond Hill* to Leonard M'Nally, the author of *Robin Hood*, and a well known member of the Irish Bar. Mr. M'Nally had, it appears, become enamoured of the daughter of a London attorney, who had a villa on Richmond Hill, and presented her this song, as an offering of his muse, and declaration of his love:—

On Richmond Hill there lives a lass
More bright than May-day morn,
Whose charms all other maids surpass,
A rose without a thorn.

This lass so neat, with smiles so sweet,
Has won my right good will,
I'd crowns resign, to call her mine,
Sweet Lass of Richmond Hill.

Ye zephyrs gay that fan the air,
And wanton through the grove
Oh whisper to my charming fair,
I die for her I love!
How happy will the shepherd be
Who calls this nymph his own;
Oh may her choice be fixed on me,
Mine's fixed on her alone.

Dear Tom this Brown Jug, is still a favorite song. The air is an old English one, but it has been attributed to Shield, and with some appearance of truth, as the song occurs in O'Keeffe's Opera of *The Poor Soldier*. The words are usually ascribed to the Rev. Francis Fawkes, who was Vicar of Hayes, in Kent, in the year 1777. He was the author of some miscellaneous poems, and translated Anacreon, Theocritus, Musæus, and Apollonius Rhodius, and was, with Woty, Editor of the Poetical Calendar. He is said to have derived the subject of this song from an Epigram of Hieronymus Amaltheus, called *Horologium pulvereum*. The family of the Amalthei, was celebrated for having furnished many members of equal genius. Jerome, of whom we have made mention, was born at Oderzo, in 1590. He rose to some eminence as a physician, and is placed by Muretus at the head of Italian writers of Latin poetry. His epigram *De Genellis Luscis*, is considered by the curious in such matters, as one of the neatest and most perfect extant. As many of our readers probably have never seen it, we may be pardoned for subjoining it, as also a translation into English, which though indifferent, is the best we have been able to discover:—

Lumine Acon dextro, Capta est Leonilla sinistro,
Et poterat formâ vincere uterque Deos;
Parve puer! lumen quod habes, concede sorori,
Sic tu, Caecus Amor, Sic erit Illa Venus.

Acon his right, Leonilla her left eye,
Doth want; yet each in form the Gods outvie;
Sweet boy, with thine, thy sister's sight improve,
So shall she, Venus be, thou God of Love.

We may add that Moreri doubts this epigram was written by Amaltheus, and says he borrowed it from the Greek.*

Sally in our Alley, now so rarely heard, was once a very favorite song, though its only merit is in the music. Carey, besides being known as the author of *Chrononhotonthologos*, and *The Dragon of Wantley*, has had his name associated with the still existing controversy, as to the authorship of *God Save the King*. Dr. Clarke, the author of the air best known as *'Tis woman that seduces all mankind*, in *The Beggar's Opera*, is considered by some to have clearly proved the title of Dr. Bull, Organist of Queen Elizabeth's Chapel Royal, to this fine air, and to have shewn that it was composed by Bull, to celebrate the escape of James I. from The Gunpower Plot; others still think that Henry Carey's claims to the authorship are the best founded.

Crazy Jane is another of those songs which seem in a fair way to be totally forgotten. We are told, in the *Life of M. G. Lewis*, that this song was suggested to him by an adventure of Lady Charlotte Campbell, now Lady Charlotte Bury, whose personal attractions it appears, had exercised their influence on Lewis, upon meeting her at the seat of the Duke of Argyle, Inverary Castle. Wandering with this lady through the woods surrounding the Castle, they encountered a female maniac, and the alarm excited in the mind of Lady Campbell, by the meeting, suggested to Lewis this pleasing song, rendered subsequently still more popular by Miss Abram's music. One of the sources of amusement adopted by his Grace's guests, to beguile the occasional tedium of country existence, was the publication of a weekly paper, called *The Bugle*, manuscript copies of which were laid each morning on the breakfast table. Lewis was, of course, a frequent contributor, and in this, for the first time, *Crazy Jane* appeared. Among the compositions of Lewis, which had their origin here, was the following, in which Lady Charlotte Campbell was again the source of inspiration:—

Yes, dearest girl, the time is past,
When rural pleasures flying,
You seek the busy town, while here
I stay in absence sighing;
But seated at some splendid show,
While all with pleasure eye you
Oh! then on me one thought bestow,
And wish that I were nigh you.

* See Graevius, vol. 10, part 5.

Till Summer brings thee back, my love,
Of pomp and tumult weary;
The heavy hours will slowly move,
And all be chill and dreary.
Fair spring in vain will boast her reign,
And trees their leaves recover,
While far from thee, it still must be
December with thy lover!

It is manifest to any observer, that English songs are daily deteriorating, and that while the music to which these songs are set is still very often good, and occasionally excellent, the words are generally nonsense, and certainly very rarely poetry. This decline has been gradual, and we hope fervently that it has not yet reached the bathos, and that it is not too late to arrest its progress. This can only be effectually accomplished by our composers making it an inflexible rule, never to join their melody to any songs save those which plainly possess some degree of poetic excellence, or are the productions of writers of established reputation.

We have, without regard to arrangement or chronological order, glanced at this subject, which is one of great extent and interest; but we trust that, however imperfectly we have performed our task, we may still have succeeded in exciting among our readers an interest, even slight, in our native music and songs. That there should be a fashion in music is, indeed, a striking proof of weak vanity and folly; and that the modern nothings which are daily produced should be preferred to the rich old melodies of other times, must be a source of pain and regret to every discriminating mind. Unfortunately, but an indifferent example is set by those in high places who possess such unbounded influence, and whose taste or caprice is usually the sole guide to that class which could, if willing, do most to reform the present vitiated system. Those in authority in Musical Societies are also much to blame. They, at least, possessing, or being supposed to possess, true musical taste, should be above the wretched weakness of inserting, in the programmes of the public concerts, no music save that which is foreign, or classically (to use artistic slang) modern. They have it in their power, again and again, to introduce, and eventually make familiar to the public ear, those fine old airs, and songs, and noble glees to which we have alluded; to foster and rear up among the youthful portion of the community a purer and more becoming taste, and to engender among our writers of music

a spirit of emulation of those musicians when notes are now silent and neglected. We can assure our amateurs, both female and male, as the result of years of observation, that they will never so perfectly succeed in pleasing the circle of their acquaintance by their musical skill, as when that skill is exerted on the music and songs of the composers and writers of their own country. We hear a long and difficult scena from an Italian opera struggled, or frequently screamed, through by a young "city madam," sometimes with admiration of her powers of lungs and facility of execution, but never, never with any feeling of pleasure; and, on the other hand, we listen with real delight to the simple performance of some rural maid, as with no ornament save the pathos of expression, and no science save the truth of feeling, she warbles one of those "rare" old ballads whose melody is to the heart like a memory of childhood.

We perceive with pleasure that instruction in music is becoming daily more and more, in our public schools, a fixed and regular branch of education. No mode of relaxation more elevating and refining can be imagined to beguile the tedium of inclement weather, among a number of boys or girls, than the practice of part singing. Though the natural spirits of youth may at first dislike the application necessary for acquiring a knowledge of a part in a glee or duett, yet once the acquisition is made, and the effect produced by the harmony perceived, the task becomes delightful, and soon ceases to be a task.

In families in which this taste has been cultivated we invariably find good humor and social happiness prevail. If forced by circumstances to remain within doors, the evenings are never tedious, the mornings never dull: where brothers and sisters, cousins or friends, can unite their voices in cheerful strains, Callcott's *Red-Cross Knight, Erl King, Fairies;* Bishop's, *Chough and Crow, When winds whistle cold,* our own Moore's *O Lady Fair,* and innumerable others, will form a never-failing fund of harmony.

And on the solemn Sabbath evening, when the universal stillness, even in the heart of the busy city, and the calm and holy quiet of the distant village, tell of the repose of man on that day at least from labor and from strife; from mansion and from cabin, from the close street, and from the pleasant fields, there rise to Heaven many a psalm, and many a hymn, sweetly,

solemnly, and hopefully sung by those, whose voices, equally as their hearts, are united in harmony and love.

"Let," says Dr. Channing, in his *Address on Temperance*, "taste and skill in this beautiful art (Music) be spread amongst us, and every family will have a new resource. Home will gain a new attraction, social intercourse will be more cheerful, and an innocent public amusement will be furnished to the community. Public amusements bringing multitudes together to kindle with one emotion, to share the same innocent joy, have a humanizing influence; and among these bonds of society, perhaps no one produces so much unmixed good as music. What a fulness of enjoyment has our Creator placed within our reach, by surrounding us with an atmosphere which may be shaped into sweet sounds; and yet this goodness is almost lost upon us, through want of culture of the organ by which this provision is to be enjoyed."

Art. VII.—REFORMATORY SCHOOLS IN FRANCE AND ENGLAND.

1. *Report of M. de Persigny, Minister of The Interior, On the Public Prisons of France.* Published in "The Moniteur" of May 17th, 1854.

2. *Rapport de M. Demetz, Directeur de la Colonie Agricole de Mettray.* 1854.

3. *Two Letters, Dated, Respectively, June 2nd, and June 8th,* 1854, *By the Rev. Sydney Turner, M.A.* Published in "The Times."

4. "*Leaders*" of "The Times" of December 22nd, 1853, and June *7th,* 1854.

5. *Report of the Proceedings of the Second Conference on the Subject of Juvenile Delinquency, and Preventive and Reformatory Schools, Held at Birmingham, December 26th,* 1853. *With an Introduction and Appendices by the Secretaries.* London: Longman & Co., 1854.

6. *Crime, Its Amount, Causes, and Remedy.* By Frederick Hill, Barrister-at-law, late Inspector of Prisons. London: Murray, 1853.

7. *Report of Committee on Criminal and Destitute Juveniles.* Presented to the House of Commons, December, 1852.

8. *Juvenile Delinquents, Their Condition and Treatment.* By Mary Carpenter, Author of "Reformatory Schools for The Children of the Perishing and Dangerous Classes, and Juvenile Offenders." London: W. & F. G. Cash. 1853.

9. *Draft Report on the Principles of Punishment, Presented to the Committee on Criminal Law, Appointed by the Law Amendment Society, in December,* 1846. By Matthew Davenport Hill. London: 1847.

10. *Report of a Charge Delivered to the Grand Jury of the Borough of Birmingham, at the Michaelmas Quarter Sessions for* 1848. By the Recorder. London: Charles Knight. 1848.

11. *Mettray, A Lecture Read Before The Leeds Philosophical and Literary Society.* By Robert Hall, M.A., Recorder of Doncaster; an Honorary Member of the Society. London: W. & F. G. Cash. 1854.

12. *Thirty-Second Report of the Inspectors General, on the General State of the Prisons of Ireland,* 1853, *with Appendices.* Presented to Both Houses of Parliament, By Command of Her Majesty. Dublin: Thom. 1854

The Jesuits have a maxim, one of the hard, cold, wise sayings, in which Bulwer Lytton's *Doctor Riccabocca* delighted, proclaiming that "there is no theologian so dangerous to religion as a very pious fool." Doubtless, in the days when Pascal and Arnauld were criticizing the teachings of Escobar, Molina, and other writers of the Order, the truth of the maxim was deeply felt and acknowledged by the opponents of Port-Royal; and, since that period, many a friend of many a noble cause has comprehended the *moral* of the Jesuit axiom, when he has found an honest, important, able advocate, embarrassing the progression of a movement, by a course of policy springing from over zeal, and supported by the too eager anxiety of a mind measuring the capacity of other minds, by its own knowledge, feelings, and aspirations. Thus, at all events, we have thought whilst reading the letters of the Rev. Sydney Turner, dated June 3rd and 8th June, 1854, and published in *The Times.*

For some years the Reformatory School movement has been slowly, very slowly, advancing in these kingdoms. * But, it has been advancing, and from the first faint indications of public appreciation of the principle, which Miss Carpenter relates, to the period when, in his *Charge* to the Jurors of Birmingham, Mr. Hill so powerfully and earnestly recommended, from the Bench, the adoption of the system, success has proved the wisdom of the Reformatory School *principle*, even whilst failure has sometimes been the lot of the Reformatory *School.* Whilst reading the letters of Mr. Turner, we were fully acquainted with all the facts recounted in the *Report* of M. de Persigny, Minister of the Interior, in

* For a history of the rise, progress, and position of the Reformatory Schools of England and the Continent, see IRISH QUARTERLY REVIEW, VOL. IV. No. 13, Art. "Our Juvenile Criminals—The School-master or the Gaoler;" and No. 14, Art. "Reformatory and Ragged Schools."

France, and published in the *Moniteur* of the 17th of May, 1854. We read these letters with amazement: we could hardly believe that the same Mr. Turner who spoke so eloquently and so hopefully at the Birmingham Conference of 1853, could express the sentiments contained in the letters of 1854,—because we knew that M. de Persigny's *Report* should have excited no feeling in Mr. Turner's heart, save one of satisfaction, at discovering that every hope expressed in Birmingham was more than fulfilled, to the completest fruition, by the declarations of the official document. We saw that the chief sources of failure in France, where failure was proved, arose from causes, such as are peculiar to France, and scarcely to be contemplated as obstacles in England; or had arisen from the mismanagement of those who presided over the provincial, and smaller, Schools. We saw that the great parent house, Mettray, flourished successfully and usefully as ever, guided by the wisdom, and prudence, and care of M. Demetz. We saw that M. de Persigny bore, as Mr. Turner states, in his second letter," a marked and emphatic testimony to the success of the reformatory system, so far as relates to the reformation of the young offenders themselves who are subjected to it. Taking the young persons discharged from the reformatory schools since 1840, he states that only eleven per cent. have been reconvicted, or have relapsed into crime—a result which, he justly says, compensates the State for all the sacrifices and exertions it has made." We saw all these things, and knowing the unimpeachable integrity, honor, and purity of intention which have ever distinguished Mr. Turner, the excellent Director of the Philanthropic School at Red Hill, we arrived at the conclusion that he had written his unhappily timed letters, not so much from a mistaken view, or incorrect understanding of the evidence furnished by the French Governmental *Report*, as through opinions colored, and through hopes warped from their old tendencies, through information *extra* that offered by the *Report*. But the result of these letters has been lamentable. *The Times*, which, on the 22nd of December, 1853, was, *for The Times*, enthusiastic in support of the Reformatory School system, is now all for rigors, and corporal austerities.*

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* For the arguments, most powerful and convincing, of "The Times," at the above date, see IRISH QUARTERLY REVIEW. Vol. IV., No. 13. p. 70.

That Mr. Turner does not, strictly considered, support these views, is true, as his second letter proves; but he has, unintentionally, given color to an argument which we are sure he would not advocate, that *pain* should be made a part of Reformatory Discipline, and that to the absence of it may be attributed, the *assumed*, failure of the French, minor, Reformatory Schools.

Before we proceed in our observations upon the question of Government support of Reformatory Schools, which is just now, for the first time, recognized by the Legislature, we think it advisable to insert here a translation of that portion, relating to Juvenile Criminals, of M. de Persigny's *Report*, and the only portion which relates to our subject. The translation is of some length, and aims at closeness and accuracy rather than freedom and elegance; but we desire now, when the Government seems anxious to test the principle, to enable every reader to comprehend the whole subject, in its fullest scope, and for the satisfaction of readers of a more important class, we have added a reprint of the original French *Report*, in the appendix, at the end of this paper. The *Report*, then, translated, is as follows:—

ESTABLISHMENTS FOR THE CORRECTIONAL EDUCATION OF YOUTHFUL CRIMINALS.

The situation of young prisoners, submitted to correctional training by virtue of the 66th article of the Penal Code, and found guilty by the application of the 67th and 69th Articles, should, from the interest naturally attached to that early age, and the hopes of amendment which it holds out, occupy a large place in the solicitude of your Government.

The decree of the 5th of August, 1850, which has transferred to my Department, the managing superintendence of these children, in deciding that they should be employed in agricultural labor in public or private establishments, has entrusted to the executive Government, the care of fixing the interior discipline of these institutions, and the nature of the patronage which should follow and protect the young détenus after being set at liberty. The first of these documents, prepared by the Council of the Inspectors General of Prisons has been submitted to the deliberation of the Council of State: the second will be presented in a few days.

These establishments have been the objects of frequent inspection, and all the information calculated to simplify the question in a legal, disciplinary, and statistic point of view, has been collected. *

* *Considerations on the Agricultural Colonies*, by MM. G. de Lurieu and H. Romand, Inspectors-General of Charitable Institutions.
Report of M. Louis Perrot, Inspector-General of Prisons, on the establishing of Penal Colonies in Corsica and Africa.

In effect, this branch of the penal administration, formerly of little moment, assumes now more importance each day, from the increase in the number with which it has to do, and the gravity of the questions which it suggests. At a former period, the greater part of these foundations might be looked on as isolated experiments tried in different ways, and which the State restricted itself to merely assisting by public grants. The Law itself, in allowing a delay of five years for the settlement of the children in private establishments, and then, in case of their failure, in public establishments, appeared to recognise that the experimental period had not come to a close in 1850. The time has now arrived to give to this service a definite organization, and to demand, therefrom, information of the extent of the sacrifices which it requires, and the results produced.

In the first place, there must be taken into account an annual increase in number, much more considerable among the juvenile détenus than among the adults. In 1837 they numbered 1393; in 1842, 2262; in 1847, 4276: according to the accompanying statistical tables, the number on 31st December 1851, rose to 5607, and on the 31st December 1852, to 6443. *

This enormous increase does not, however, absolutely imply a corresponding movement in the criminality of the youthful population. The published reports of the Ministry of Justice established the fact, that from 1831 to 1850, the number of children tried and convicted annually by the Courts of Assize was from 310 to 315 in the mean, and without any sensible variation. But the case is not exactly the same for ordinary offences. On the one hand, the total number of young prisoners brought before the criminal authorities for trivial offences, has doubled; on the other, the results of the prosecutions have been much more severe. The annual average of committals which, before 1830, was 215, was successively advanced to the number of 1607, in the five years embracing 1846 and 1850; that is to say, it acquired an eight-fold increase. The existence of correctional establishments specially adapted for children, invited and multiplied these decisions before which the tribunals would have recoiled at a period when a sojourn in prisons exposed its young inmates to contacts and communications worse than those to be met when at liberty.

These Institutions have thus filled a void in the former state of things, and have responded to a pressing social need. There was room to judge that a treatment more strict than that of the former period, at the same time that it (temporarily) increased the number of the punished, would in time diminish the number of offenders. It has not however, so turned out. It is easy to observe among a class of needy and depraved parents, a tendency to leave, or even place, their

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Historic and Statistic Abstract of the Agricultural Colonies, by MM. J. de Lamarque, and G. Dugat, attached to the Department of Prisons.

Picture of the Moral and Material Condition of Young Offenders when in confinement and when liberated, by M. Paul Bucquet, Assistant Inspector-General of Prisons, 1853.

* On the 31st December 1853, the number amounted to 7959.

children under the lash of these judgments where the advantages exceed the penalty. Thus they shift from themselves to the State the care of their education, being sure to secure them again after the lapse of some years, to profit by their labors, and often times, for the most shameful purposes. These vile calculations are owing to the undue preponderance given for some years to the ideas of assistance and charity in the discipline of the Institutions for youthful criminals, and particularly in that of private establishments. The restrictive character of Correctional education does not make it sufficiently felt in these Colonies, which certain classes come to look upon as mere Colleges for the poor. It is for the purpose of strengthening the corrective principle that the plan of the regulations submitted to the Council of State has been conceived. At the same time, and in order to counteract the unhappy complicity of the parents in the acts which bring their children to the bar of the tribunals, I have decided that henceforward the administration shall not give up the young prisoners till the expiration of the full time considered necessary for their amendment, and until it shall be ascertained that the parents have not, by their bad counsel or example, rendered themselves unworthy to receive them back again. * This last measure is beginning to produce its good fruit, and already the parents have frequently presented themselves at the passing of sentence, in order to claim their children. I have hopes that the application of a more rigorous system of discipline will still add to these good effects, and bring this class of prisoners within reasonable limits.

During the year 1852, the population consisted of 9255 children, of whom 4839 belonged to public establishments, and 4416 to private ones.

These first named, fourteen † in number, comprise seven Colonies, three manufacturing quarters, attached to the central houses, and seven departmental institutions; the second class, to the number of thirty-five, reckon sixteen Colonies, seventeen Conventual houses, and two Societies of patronage.

The resident number, on the 31st December 1852, amounting to 6443, was thus apportioned:—

Public Establishments,	.	2490 boys and 528 girls
Private Establishments,	-	2912 boys and 513 girls

Since that period, the girls have been withdrawn from the quarters which had been assigned to them in the Central houses, and placed in Conventual Establishments. There are now left but two places of confinement for the female détenus, and in a very short period, even these exceptions will disappear.

Thus shall the wishes of the Law, which does not use public Establishments save for the want of private ones, be fulfilled in the most satisfactory manner towards these young girls; but, as regards the boys, the experience of the four years elapsed, since 1850, does not give us room to hope, or seek, for a similar (satisfactory) result.

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* Circular of the 5th of July 1852.

† This should be seventeen.—ED.

I do not hesitate to say that the administration has been the object of undeserved mistrust with respect to the motives which, in 1850, directed this tendency of the law. Experience has shewn that the zeal of the officers appointed over the State establishments has been maintained on a par with the devotedness of private enterprise in the accomplishment of their delicate and laborious task. An establishment for reformatory education designed for this class of children who, though under penal restriction, are protected by the state, offers one of those problems the most difficult of solution. The knowledge of the just proportion in which penal discipline should combine with the charitable element, and the power to direct with skill and profit, a large agricultural concern, require many happy conditions and varied talents. In this respect, public administration offers advantages on certain points which are found wanting on other points, but private establishments are not without their own inconveniences. On the one hand, their organization can hardly be rendered sufficiently strict for effective restraint and intimidation; and on the other, it is to be feared that personal interest, and the spirit of speculation, sometimes occupy a large space.

More than one project has failed, the result of which would uniformly have been the improvement of private property, by means of the money of the Treasury, and the labours of the young détenus.

If the state is indebted to the original inventors for the conception of the system, and the creation of Institutions for which the rest of Europe may envy us, still the general inspection can point out in some of the recent establishments, irregularities and short comings to be regretted in their relations with moral, professional and religious education, wholesome restraint, watchfulness, and even agricultural and domestic economy. My administration has taken effective care to correct these abuses; it endeavours also to prevent them, by using an extreme prudence in the adoption of plans for the Institution of private establishments. It also requires, in all possible cases, that they should not be located in districts where the land is in complete tillage, but in districts of unbroken soil, where the assistance of the state, and the labours of the children, can contribute to the increase of our agricultural riches.

Those religious Institutions, which devote themselves to this difficult labor, appear to me to deserve a preference. In the hands of these Corporations, where the members still succeed each other, and outlive the original founders, the undertaking has the advantage of not being temporary or dependent on the capacity or devotedness of one man. This is an important point of consideration for the State, which has not in its power to protect the important colonies which it contributes to found and render prosperous, from the accidents of life, and fortune, and the law of subdivisions. Institutions founded on such bases will shortly afford new asylums to this increasing population.

The Decree of the 5th of August, 1850, appointed the establishment of correctional Colonies in Algiers, or on the Continent, for those sentenced to more than two years confinement, and for the irreclaimable. Up to the present time the Colonies and quarters

annexed to the central houses have done duty for these special Institutions. In the first place, it has been found that the amount of the class of criminals sentenced to more than two years, happily presents but a very small contingent. On the 31st of December, it amounted to 144 boys and 29 girls, and I have reason to think that certain private establishments, not furnished with regular account books, have by mistake included in this number, children sentenced by the application of the 66th Penal Code. As to the irreclaimable, an inquiry has ascertained their number to be 92. This amount, joined to that of 109 children transferred from private establishments to the correctional quarters of the central houses, in consequence of attempts at escape, or of grave offences, leads to the supposition that a single correctional Colony would suffice for this second degree of restraint. In order that it might exercise an effective power of intimidation it should be established either outside the Continent, or in a department remote from the great centres of population. A measure of this nature is, at this moment, the object of special consideration.

The same law prescribes the employment of young détenus in agriculture, or the principal occupations that are naturally connected with it, and to sedentary labors under certain conditions of discipline. The administration has directed its efforts towards this object, being convinced that agricultural employments exercise the most salutary influence on the morality of children. Still, considerations of age, of strength, of health, of previous apprenticeship, of peculiar aptitudes, seem to sanction sundry exceptions. The young détenus come in about equal proportions from Country and Town, in other words, from agricultural and manufacturing occupations. When the offender's family is still in being, and attached to any branch of trade, and can offer to the young prisoner on his liberation, an honest asylum, it would be a harsh proceeding to deny to his relatives, the right of re-employing him in their ordinary business. If it were otherwise, the intention of the law would be foiled. An education exclusively agricultural would entail profitless sacrifices on the state, and instead of furnishing the rural districts with skilful laborers, it would only succeed in filling the towns with young people obliged to recommence a late apprenticeship to handicraft occupations, and fated to become very indifferent workmen. Besides, the State establishments which receive the young détenus, in default of private establishments, possessed, prior to 1850, an organization both operative and agricultural, which being founded at great expense, is now yielding satisfactory returns. It would be imprudent to destroy what we have constructed, till provided with means to replace it in a satisfactory manner. But withal, while giving instruction in manual trades in these houses, they encourage application to rural industry also, and this exception to the principles laid down by the law of 1850, is circumscribed by the just limits fixed by the regulation submitted to the deliberation of the Council of State. The number of young détenus of the manufacturing class which, on the 31st of December 1852, was 45 per 100, will diminish every day by the extension of agriculture in the public establishments. With regard to the young

girls, they are chiefly engaged in the employments proper to their sex, and in some houses of refuge, at the labors of the farm, the administration encouraging this latter branch of education. Many religious houses have already acquired dependencies where they teach young girls to superintend the business of a farm house.

The statement No. 1, of the statistical account of young détenus gives the number of entries in the course of the year 1852 as 3648, and that of the discharges as 1647, We must add to this number, 20 pardoned criminals, and diminish it by 505 children detained at the instance of their parents, and who have merely entered temporarily into these establishments: we have then 1162 liberated, that is to say, 18 per 100 of the average population, and this makes the mean detention, of each, 5 years and upwards.

This term is expected to be prolonged, and its extension is very desirable. The confinement of these children has for its principal object, their moral, religious and professional education; and this benefit administered under coercive conditions which imply unhappy antecedents, and frequently, natures already perverted, cannot be produced but with the aid of time.

It is desirable on this account, and especially with regard to the age at which liberation arrives, that the young people should be maintained in these establishments to the full age of twenty years. Several tribunals have already adopted this limit in the greater number of cases, and the rule seems likely to become general. Moral and physical developement is slow among children whose birth and infancy have experienced the influence of vice or misery. In order to complete the apprenticeship of boys, and settle them advantageously, it would be expedient not to set them to agriculture, nor to business in manufacture, nor to the military service, till after their twentieth year: considerations of morality render the application of this rule more necessary in the case of the other sex.

Of the 6443 children in these establishments on the 31st December 1852, 3388 belonged to the population of towns, and 3055 to that of the country districts.

Among them were 871 illegitimate children, 93 foundlings, 121 reared in hospitals, and 2178 destitute both of father and mother, or of one of them.

The department of the Seine furnished 786 children, that of the Rhone 352, the lower Seine, the lower Rhine, and the department of the North, each, 200 and more. Fifteen departments, viz. the Gironde. Eure and Loire, the district of Calais, Seine and Marne, the mouths of the Rhone, Meurthe, Mozelle, lower Loire, upper Rhine, Loiret, Gard, Aisne, Herault, Oise, Marne, each more than 100. Six departments reckon less then 10 each: these are Aude, Lozere, upper Loire, Tarn and Garonne, upper and lower Alps.

Of the number of children distributed under three ages—

685	were from	7 to	11	years old,
4823	,,	11 ,,	17	,,
935	,,	17 ,,	21	,,

With the exception of 92 Protestants, 17 Jews, and 18 Mahometans, all belonged to the Catholic worship.

Before their detention—
1417 belonged to trades;
565 to agriculture;
4461 were without profession.

Since their detention—
2797 were serving their agricultural apprenticeship, and 3443, including 1022 girls, were occupied at various manual businesses.

Considered under their penal relations—
3163 belonged to the class of acquitted (Art. 66 of the Penal Code);
197 only to that of the sentenced (Art. 67 and 69).
81 were detained under paternal correction.

Among the causes of condemnation, personal assaults represent 10 per 100; simple thefts, cheating, swindling, &c. 55 per 100; vagrancy and mendicity, 35 per 100.

When taking into account the difficulties and obstacles which reformatory education has to encounter, we must set down as chief, the transfer of 109 children from the private establishments to the central houses. The causes of this procedure were incorrigible conduct or attempts to escape. Instances of the last mentioned class are frequent: in the course of the year, 152 children succeeded in escaping, 70 of whom were not recaptured. 17 only, of whom 4 were recovered, or somewhat less than 4 per 1000, belonged to public establishments. The remainder, to wit, 30 per 1000, belonged to private colonies, and principally to establishments of recent foundation in which the surveillance has not been yet thoroughly organised. These escapes becoming latterly more frequent, have been chiefly made from houses in the vicinity of large towns. I have felt called on to decide that henceforth, runaways shall be confined in the penal quarters of central houses, and in order to excite greater vigilance I shall shortly take measures to impose a fine on establishments where the evasions can only be attributed to negligence.

In the interior of these establishments, the principal punishments are the cachot, the ordinary cell, and the diet on bread and water. The severer chastisements, whose duration exceeded fifteen days, amounted to 13 endured in the cachot, and 236 in the cell.

Under the head of instruction, 4236 children, i.e. about two-thirds, were completely ignorant of letters before their apprehension, and afterwards five-sixths received primary instruction in different degrees. 1211 only, among whom are included a portion of the newly admitted, still remained uninstructed.

The tables devoted to the sanitary state of the establishment for reformatory education contain only general information. This department of the service shall be henceforward a subject of earnest attention, as I have already mentioned when speaking of the adults. Mean time, I am prepared to state that the amount of disease and mortality has not exceeded the proportion of former years. The number of deaths has reached 152, in a varying population of 9255, or an average one of 6000 young détenus. These deaths then have

been in the proportion of 15 per 1000, in relation to the floating number, and as 25 to 1000 in relation to the mean number. The ratio varies according to the nature of the Institution. In quarters and colonies annexed to central houses, it is 37 per 1000; 32 in correctional departments, and 15 in private establishments. These sensible differences, so much to the credit of these last named institutions, arise from the circumstance of the agricultural establishments receiving country children for the most part; and because they reserve for the ateliers of the central houses, those whose age or physical powers unfit them for the labors of the fields.

Two cases of mental alienation after admission, and one suicide, have been recorded.

Finally, the last table, "Report of young détenus discharged," gives an opportunity of appreciating and comparing, in their regard, the general and partial results of Reformatory Education.

1,162 discharged, of whom 20 received marks of approval, quitted in 1852; to wit:

From quarters and colonies attached to central houses ... 401
From departmental quarters 151
From private institutions 610

Of this number, 465 (40 per 100) had learned, during their detention, an agricultural mode of life.
607 (60 per 100), among whom were 164 girls, different trades or callings.

The agricultural pupils were distributed in the establishments in the following proportions:

Central houses ... ... 167 (36 per 100 of the number of laborers),
Departmental quarters ... 25 (5 per 100), —
Private colonies ... ... 273 (59 per 100), —

The artisans were divided in the manner following:

Central houses ... ... 234 (34 per 100 of the total number of artisans),
Departmental quarters ... 126 (18·5 per 100),
Private establishments ... 337 (47 per 100).

844 were qualified to support themselves, viz.:
283 discharged from central houses,
79 from departmental quarters,
482 from private establishments.

Of 204 imperfectly instructed, and declared incapable of earning their subsistence:
71 belonged to the first establishments,
52 to the second,
81 to the third.

950 children received, at their departure, articles of dress to the value of 25,546 fr. 34 c. (26 fr. 15 c. for each child).

This expense was thus defrayed:

By central houses ... ... 9,208 fr. 35 c. (374 children),
By departmental quarters ... 1,145 „ (49 —),
By private establishments ... 15,192 „ (537 —).

Almost all received assistance on their journey. Not reckoning those who received from the prefecture, (in default of establishments) an indemnity of 15 centimes per league, 908 children obtained in this way 11,351 fr. 11 c., say 12 fr. 50 c. each.

Contributors to this expense:

Central houses, amount	4,518 fr.	81 c.	(366 liberated children),
Private establishments	6,832	30	(500 —).

If these figures prove that the instruction during detention, and the assistance at their departure, were conferred on the young détenus so as to put them in a fair way to gain an honest living, I regret that I cannot say so much concerning the future settlement of these children. Thus, 757 liberated in 1852 returned to their relations, in other words, to the bosom of bad examples and evil counsels in many instances. Among the number thus given back to their unhappy connections, 365 had come out from central houses, 45 out of departmental quarters, and the remainder, 347, out of private establishments. 95 only were recommended to the societies of patronage; 5 by the central houses, 26 by the departmental institutions, and 64 by the private establishments. Finally, 148, of whom 18 had quitted public establishments, have been settled with individual employers by the care of the Directors.

The after fate of the young people thus liberated, and their conduct in their new free life—these important features of the question, are the points on which the administration finds itself most destitute of precise information. The limited number of Societies of Patronage suggested to the Government in 1847 and 1848, the wish to organize a species of administrative patronage by the co-operation of the Mayors of the communes to which the liberated children had returned, and these magistrates were to transmit to Government, every six months, written reports concerning these young people. These documents, furnished with zeal and intelligence by a certain number of these functionaries, have not however been received so generally as to furnish the elements of a statistic report. New instructions will have the effect of supplying this deficiency for 1853.

But to exhibit the results of reformatory instruction, and to bring it to completion, I reckon on the developement of the Patronage institutions, the organization of which will be presently established by the rules prepared, in execution of the decree of the 5th of August, 1850.

There are 8 foundations of this description in actual operation, and rendering services which, despite their limited extent, are not the less worthy of public gratitude. The very exact reports annually published by the society for the protection of the young détenus of the Seine, before and after liberation, exhibit the benefits which these works of charitable devotedness are calculated to confer on society. In 1852 it sheltered 305 children, 171 of whom belonged to the class of those absolutely set at liberty, and 134 to those out on provisional liberation. 28 of this number have withdrawn from the protection of the society; 27 have been given up as incorrigible; 2 have disappeared; 6 who were out on leave have returned; and 16 *only* have relapsed into bad habits.

It is to be regretted that other societies have not, by the issue of annual reports, furnished additional instances of their tutelary influence: it is still more sad that some of those already well established have almost wholly given up the task for want of excitement and encouragement. The expectation of administrative regulations interfering, the vagueness of the principles pervading the composition of the societies, and regulating their action, have contributed to produce this relaxation which, it is to be hoped, will be only temporary. I am aware that this is a delicate matter; that administrative intervention should be full of reserve on these questions of charity; for if correctional education is a public duty, and should be the business of the state, the patronage in question should be purely a work of beneficence, and look to it alone for support. These considerations, however, cannot excuse the absolute non-intervention of the State. I look for the most salutary effects to an organization which shall associate in this mission of charitable help, the representatives of the various local authorities, those of agriculture, of manufacture, and those persons always numerous in France, and ever ready with their services and their fortune to contribute to good works. I entertain hopes that your Majesty will deign to encourage such useful and disinterested services by honorary recompenses.

Moreover, this task will be rendered more easy by the measures I have already taken for the exclusive settlement of the young girls in religious establishments, and the enrolment of those young boys qualified by their age, their strength, and their moral amendment, in the military service. The regiment for these, and the convent for the others, constitute a patronage already organised, and one offering to society the surest guarantees.

To conclude: I will add that in this last respect, the instruction given in particular institutions of the young détenus, has already produced its good fruits The general abstract of the administration of criminal jurisprudence which has given a résumé of the results of the period from 1842 to 1850, has stated that the average number of the relapsed among the liberated children of seven principal establishments, had varied from 10 to 11 per 100. If we compare this with the ratio given above for the adults, (35 per 100 for the men, and 27 per 100 for the women),* we should not regret the sacrifices which the state has imposed on itself, for the moral regeneration of the youthful population.

All the facts relating to these Schools, as stated in the *Report*, are now before the reader. Upon these facts, and upon these *only*, should Mr. Turner have based his arguments; had he done so, his letters would never have appeared; *The Times* would never have rolled its thunders against the advocates of the Reformatory movement in these Kingdoms, and there would be no occasion now for explanation or argument.

* These figures are *reversed* in that part of the Report devoted to adults—Ed.

Yet we do not regret this occasion, for, if it be correct, as enunciated by Mr. Recorder Hill—"next to the discovery of a true system is the advantage of knowing that what is held up for truth is not so in reality"—the suspected system, when proved true, becomes at once important and received,—and precisely to this issue has the English Reformatory School system been now reduced; and though to "unlace their reputation thus," is not the best means of rendering the stability of the Schools sure, yet their own merits make them safer than if supported by prejudiced and partizan advocates.

Claiming then, for these Schools, no aid save that to which their true value and merit as Reformatories entitle them, we turn to the consideration of the *Report* of M. de Persigny, and we shall compare its statements of successes and failures with those points peculiar to even our Schools.

The first, and most remarkable fact, stated in the *Report* is, that whilst the working of the system is admitted to be excellent, whilst private charity is confessed to have been so extensive, that in December 1852, 85 private Reformatory Schools were in operation, sheltering 2,912 boys, and 513 girls, giving a total 3,425 juveniles, yet that the system was open to this embarrassing evil,—eventually a great part of the juvenile population of France might be thrown for support, in these Schools, upon the resources of the Country. The numbers stand thus:—

In Government Penal Schools		...	...	3,018
In Private Schools	...	...	...	3,425
Giving a Total of	...	...	...	6,443

Of these, 1,041 were girls; 685 were under eleven years of age; 4,823 were between eleven and seventeen, and 935 were between seventeen and twenty-one. These numbers, the *Report* states, would not be so startling were it not for the fact, that this penal school population is an increasing one—that is, that the numbers which were, in 1837, only 1,393, rose, in 1842, to 2,262; in 1847 they were 4,276; in 1851, 5,407; and on the 31st of December, 1852, they numbered, as we have stated, 6,443.

These figures are disheartening at a casual glance; but what is the fact?—That notwithstanding this terrible "population

croissante," the *Report* gives emphatic testimony to the success of the system. And why? Because, though the population of *France* has increased, though anarchy and civil war have convulsed her capital, the number of juveniles at these Schools, charged with *serious* offences, has *not* increased, but has remained stationary, at an average amount of from 310 to 315 per annum; whilst the number charged with slight offences has doubled. And such offenders have been sent, EIGHTFOLD to the Schools. In short, of the 6,443 juveniles, fifty-five per cent. have been guilty of dishonesty and theft; thirty-five per cent. have been committed for vagrancy, and ten per cent. have been committed for assaults.

That the troubles of France, during the years 1848–49, must have increased those committals, is, we believe an admitted fact; but it should also be borne carefully in mind, that when the numbers in the Schools amounted, in 1837, to only 1,393, it was under the old system; and if the numbers rose from 4,276 in 1847, to 6,443 in 1852, it may in part be attributed to the fact, that the law of 1850 incited the charitable to open the private Schools freely, as the Government, by that law agreed to aid such Schools, should they be found worthy, from their practical results; and thus the evils of mismanagement of the institutions through the hurry, and over zeal of the founders, have been increased by the imperfect adaptation of the law of France to the necessary requirements of those Schools, which the Government now seems inclined to swamp, and which the Minister of the Interior designates, "les colleges de pauvres" of a "population croissante."

We confess that in all these statements we find nothing to excite fears of failure of the Reformatory Principle in England, provided we do not, by mismanagement, expose it to evils as pregnant in corruption and neglect, as those brought upon it by false friends in France. Mettray should be our example of success; M. de Persigny complains, not of the great parent institution, but of the schools recently, since 1850, founded. Until the Legislature, in that year, by that vice of French Governments—*intervention*, urged the formation of these Schools upon the country, all was advancing as we could wish; but after the passing of the law of August 1850, the promise of Governmental support became a species of "*bounty*," of which the pious and humane, excited by zeal, took too ready an advantage; whilst, to the designing and the knavish, it gave cause for an unholy traffic—

thus we learn that the maxim of Adam Smith which declares that bounties are injurious, because "they force the industry of the country into a channel less advantageous than that to which it would run of its own accord," may be applied to the sympathies and feelings of a people, as well as to their trading speculations. That we are not incorrect in this statement is proved by the *Report*, which shows that two very important results have arisen from the law of 1850—more has been attempted by the zealous than could be accomplished; whilst the roguish have abused the system, and turned it to a selfish account, and have attempted to improve the property of certain landholders by the forced labor of the juveniles.

The grand objection, as M. de Persigny states it, is, however, the increase of the numbers in the Schools. We have indicated some of the probable causes of this increase, but we now address ourselves to the discussion of the chief sources of this swelling aggregation,—they are twofold, and although one springs from a fault in French law and in the French national character, yet both concern the people of these Kingdoms most materially. The first source of increase arises from the entire absence, in the French Code, of any provision rendering the parent responsible for the offences of the child, even when arising from parental ill training, or carelessness; the second source of increase is found in the vagrancy of a poor population; a vagrancy which, if not checked, becomes vicious; and when checked by placing the children in the Penal School, increases, as a matter of course, the returns of juvenile committals. In our mind, England is open to both these sources of evil, and the remedy for the first cause of increase is, as we view it, the remedy also for the second.

Mr. Turner has stated that parents, needy or depraved, have frequently permitted their children to become vicious, or have made them so that they might be convicted of crime, and then sent to the Penal School, where they would be fed, clothed, and taught, free of charge; and in these designs, he asserts, that the magistrates have unconsciously aided the guilty parents by committing the children to the Schools. As we understand the statement, it merely amounts to this—that the parent is allowed to act thus because the Legislature of France is, like our own, too much wedded to old views of penal legislation to understand the great principle so ably advocated by Mr. Frederick Hill, by Mr.

Pearson, and by Mr. Thomson of Banchory—that of PARENTAL RESPONSIBILITY. It is no argument against the working of the Reformatory Schools, it is only convicting the Legislature of ignorance, or of a carelessness which is hardly less than a crime. If it were an argument against the principle of Reformatory Schools, Mr. Turner's own excellent institution, now so flourishing at Red Hill, should have been closed thirty-three years ago—because, even then, as Mr. Holford wrote, "Those who have been in the habit of attending the Committee of the Philanthropic Society know, that parents have often accused their children of crimes falsely, or have exaggerated their real offences, for the sake of inducing that Society to take them; and so frequent has been this practice, that it is a rule with those who manage that Institution, never to receive an object upon the representation of its parents, unless supported by other strong testimony"*

To these abuses was the most excellent and christian institution of its class in these Kingdoms exposed in the year 1821, and that it is not less exposed to them in our own time is proved by the fact, as stated by the Rev. William Brown, Chaplain of the General Prison at Perth, that of 87 juveniles committed to that gaol in the year 1853, 26 had father and mother living, and only 13 of the 87 were orphans. †

The same Chaplain, in his *Report* for the year 1852, stated, that of 93 juveniles in custody, on the 27th of May, 1852, in the General Prison, 65 were not driven to crime by actual destitution. Of the 93, the parents of 60 were said to be honest and industrious; those of 16 were of the opposite character; the circumstances of 57 were good, those of 19 were bad; and only 17 of the 93 prisoners were orphans.

Miss Carpenter, who possesses the ability of Mrs. Fry, combined with the zeal of Sarah Martin, has borne testimony to the great amount of crime, arising from the non-responsibility of parents, and is of opinion that the best method of checking juvenile crime is by making the parent feel the duty

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* See "Thoughts on The Criminal Prisons of this Country, occasioned by the Bill now in the House of Commons, for Consolidating and Amending the Laws Relating to Prisons," By George Holford, Esq., M.P.. London: Rivington. 1821. pp. 44, 45.

† See "Appendix to the Fifteenth Report of the Board of Directors of Prisons in Scotland, for the year 1853." No. IX.

under which he lies, both to society and to God, for the moral control of his offspring. *

This excellent lady has, as evidencing the effects of parental neglect, condensed the following cases, of prisoners under 17 years of age confined in the Preston Prison, and recorded in the 28th Report of its Chaplain, the veteran champion of Prison Reform—the Rev. John Clay:—

"A, aged 16. First offence. 'I ran away from my work, and they kept saucing me at home for having done so. I then ran away from home, and got into bad company. Was now and then at a Sunday School, but can't read.' Weekly earnings of the family £2 8*s*. Parents are sober, but they never attend a place of worship.

"B., aged 12. Second offence. Has a drunken and profligate father, who could maintain his family, and earn 21*s*. weekly. The father has been three times in prison.

"C., aged 10. Third offence. Has a drunken and brutal father, who allowed the child to acquire bad habits without making any attempt to restrain him.

"D., aged 12. First offence. Both parents drunken. Three children at home. Earnings of the family 22*s*. The boy never went to any school.

"E., aged 16. First offence. Father dead four years. Mother in Manchester with five other children. Boy got into bad company, and ran away from Manchester. Has attended National and Sunday Schools five years. Mother appears blameless.

"F., aged 14. First offence. 'My parents live in Preston. Father is a weaver, and gets 12*s*. weekly besides 7*s*. 6*d*. for collecting for a burial club. *He gets drunk every Tuesday night* after he comes from collecting. My eldest sister is a two-loom weaver, and earns 17*s*. 6*d*. *net (!)* My next sister is a two-loom weaver, and gets 9*s*. 6*d*. Another sister is a dress-maker, and gets 7*s*. or 8*s*. I got about 4*s*. or 5*s*.; but I was just going to be be put on two-looms, and should have got 9*s*. 6*d*. I have a brother a shoemaker, who gets about 12*s*.' Total earnings of this family upwards of £3! The boy has been to a Sunday School five years, but can read very little.

"G., aged 14. First offence. 'Father's wages 30*s*., but he joined a turn-out. Father sometimes teetotal, but drinks *now*. Parents never go to a place of worship; some of the children go now and then.' This boy cannot read a letter, but evinces good feeling.

The total earnings of the family, when the father is at work, are £2. 1*s*.

"H., aged 15. First offence. Parents have seven children. Total earnings of the family £2. 12*s*. 'Father drinks almost every Saturday night, and sometimes on Sunday. He never attends chapel,

* See "Juvenile Delinquents, Their Condition and Treatment." By Mary Carpenter. p. 150.

(Rom. Cath.) but mother and the rest of the family attend, and show me a good example.' Boy affected to tears, and being his first offence good hopes may be entertained of his permanent amendment.

"I., aged 14. First offence. Mother dead. Father a drunkard. Earnings of the family 23*s.* The boy quite ignorant, and never enters a place of worship.

"'The above,' says Mr. Clay, 'constitute the whole of our Juvenile Offenders now in confinement; during the month we have discharged seven Irish children, aged from 9 to 16,—who had been sentenced to short imprisonments for begging; *and who, when at liberty, tramp about the country and maintain themselves by begging.*'"

We all feel the full force of this statement; but when to it are added the facts recorded by the Rev. Mr. Joseph, Chaplain of Chester Castle, in his *Memoirs of Convicted Prisoners;* recorded by Mr. Martin, in his *Place of Repentance;* recorded in the *Report of the Committee on Criminal and Destitute Juveniles;* recorded by Mr. Thomson of Banchory, in his *Social Evils; Their Causes and their Cure;* recorded in Rev. Mr. Garwood's, *The Million-Peopled City;* recorded in Rev. Mr. Vanderkiste's, *Narrative of a Six-years' Mission*,—who, reading these books, will not agree with us—that PARENTAL RESPONSIBILITY, made legally binding, must be the ground work of success in the Reformatory movement?*

Terrible lessons these books teach; yet they only prove anew the truths proclaimed by Mr. Frederick Hill who writes, in his essay, *Crime, Its Amount, Causes and Remedy*, —"Not only should the parent whose child falls into crime, be compelled, except in peculiar cases, to pay its cost in prison (or in default be himself deprived of his liberty and forced to toil for his maintenance,) but be required also to indemnify, to some extent at least, the party injured, if not to pay part of the reasonable expense of the prosecution; if it be thought that such a rule would press hard upon parents, let it always be remembered that the loss and expense must fall on *somebody;* and surely it is less hard that it should fall on the child's parent than on any one else. Nevertheless, to provide for peculiar cases, it might be proper, as it certainly would be liberal, when a parent could show to the satisfaction of the court, or other

* See those various works above named analyzed, and the cases referred to quoted at length, in the IRISH QUARTERLY REVIEW, Vol. III. No. 10. p. 299, Art. "The Garret, The Cabin, and the Gaol." And see Vol. IV. No. 13, p. 1. Art. "Our Juvenile Criminals:—The Schoolmaster or The Gaoler;" and No. 14, p. 361, Art. "Reformatory and Ragged Schools."

appointed authority, that he had used all reasonable means to prevent his child from becoming a criminal, for the state to pay part of the expense entailed by the child's misconduct." This, it may be remarked, is the principle of the Industrial Reformatory Schools Bills introduced, for Scotland, by the Lord Advocate, and for England and Wales, by Lord Palmerston, although the latter was, we believe, introduced in the first instance by that excellent gentleman Mr. Adderley, the member for North Staffordshire, who has done very considerable service to the Reformatory movement by his able essay, *Transportation Not Necessary*. True it is, that although these Bills have caused considerable and violent displays of sectarian feeling, whilst their provisions were being discussed in the House, yet to the friends of the movement one fact was as patent as gratifying, and both were in the extreme—the full and complete excellence of the great principle of the Bills was never, even by the most rancorous opponent, for one moment questioned or disputed.

PARENTAL RESPONSIBILITY, however, must be, in any Bill, one of the chief and most important points. Without this RESPONSIBILITY no security can be given to the friends of the Reformatory Movement that the objects of the Schools may not be abused. Mr. Hall, in his most admirable pamphlet, *Mettray*, which we have placed at the head of this paper, tells us that he is "sceptical as to the existence of this refinement of wicked forethought in the breasts of parents," which would incite them to make their children vicious, that they might thus become the juveniles of the Penal School, and be no longer a burthen to those who should be their guardians and nurturers; yet we have shown, from Mr. Holford's book, what any of the books above named will prove, the blackness and foulness of parental wickedness in these Kingdoms. Mr. Hall himself states, on the authority of the *Report* of M. de Persigny, that in some of the Schools (NOT in Mettray,) many parents have given up their children in the hope of, themselves, "deriving a sometimes criminal benefit from the improvement in the capacities of their children through educational treatment." He adds,—"The French government have met this by detaining for the full term all young détenus whose families would be likely to make this sort of profit of their children's criminality." And Mr. Hall, writing of this parental crime, is of opinion, in which we most unhesitatingly join him,

that "In this country it would be checked by the proposed plan, of making the parents liable to contribute to the maintenance of their children in the place of education." *

That the French, as a people, are less impressed with the idea of PARENTAL RESPONSIBILITY than ourselves, is admitted; and their Foundling Hospitals, and other institutions in which children are reared, even during the lives of the parents, openly and confessedly, and with the sanction of the Government, gives color to the fact, were such color necessary. We have never known a Frenchman who could, we have never read the work of a French author which did, acknowledge the theory of PARENTAL RESPONSIBILITY. Hence it is that the Minister of the Interior, from first to last in his *Report*, does not suggest PARENTAL RESPONSIBILITY as the best means of checking the further increase of that "population croissante," of which he so much complains. He does, it is true, recommend that these Reformatories should be more carefully watched and inspected; he does not recommend that they should be abolished; his chief remedies consist in beaureauism, government surveillance, and attaching the schools to religious institutions; and he indulges in the hope that as these juveniles grow into youths, the pressure of their numbers upon the funds and resources of the Schools may be lessened by drafting a considerable portion of the whole into various branches of the military service. M de Persigny never contemplates the adoption of the true remedy—PARENTAL RESPONSIBILITY: he knew, at least he had before him, the same evidence which enabled Mr. Hall to tell us, that since the rule of detaining for long periods, juveniles whose parents were suspected of having *qualified* them for the school in the hope of afterwards profiting by the instruction which they might receive, "there has been a sensible increase in the proportion of cases in which parents, in the time of judgment being pronounced, came forward and proposed themselves to take charge of their children instead of letting them go to the Reformatory Institution." † But the Minister contents himself with the old French expedient of Reporters, Inspectors, and other officials, forgetful, or ignorant of the fact, that the fault was in the management and not in the principle; that the weakness was in

* See Mr. Hall's Lecture, "Mettray." p p. 54, 55.

† Ibid, p. 34. Note b.

defective law, not in the discipline of the institutions. That England is exposed to these evils, arising from the non-recognition by the Legislature of complete PARENTAL RESPONSIBILITY, and which have brought upon France all the chief embarrassments incident to an increasing population of child criminals, has been already proved; but upon this point, before we introduce the important evidence of Mr. Recorder Hill, of Miss Carpenter, and others, given before the Committee of 1852 on Criminal and Destitute Juveniles, we would here, as preparatory, insert the opinions expressed by the Rev. Mr. Clay, in his speech delivered at the Birmingham Conference of 1853. He said, and his evidence is valuable as that of one who has been the most important officer of a large gaol for more than thirty years—

"The prison with which I am connected is the prison which receives offenders from the whole of that division of the county of Lancaster, containing little less than 500,000 inhabitants; and it is in my power to say that during the last six months not more than fifty-three juvenile offenders have been committed to gaol for infractions of the law. But here is the point to which I am addressing myself. Out of these fifty-three sent to prison, not fewer than forty-four came from homes and families in which the fathers and mothers had it in their power to provide effectually for the physical and educational wants of their children, as well as for their nurture in the fear of the Lord. It is a fact that out of these fifty-three children so committed, there were no fewer than forty-four whose family earnings exceeded thirty shillings per week. In some instances the earnings of parents and children—which should go into one common purse belonging to that home—in some cases the earnings amounted to fifty shillings per week; in other cases to twenty-five shillings per week; and in others to not less than five pounds weekly. Need I tell you any more in urging the absolute necessity of making those profligate, careless, and neglectful parents provide for the education necessary to restore their erring children. I could show you instances of this extraordinary neglect, combined, often, with extraordinary brutality. It is known to several persons, Members of Parliament, here present, from the evidence brought before them, that men whose earnings were about thirty shillings per week frequently spend the greater part in purchasing intoxicating drinks and in debauchery. These men come home, and treat their children and their wives with a violence I cannot describe. A man of this sort went home, inflated with drink, took hold of his children, and threw them into the canal. I could hardly believe the statement when made by one of those children, but I ascertained beyond all doubt that it was literally true. One of those children, who was driven into repeated crime by this infamous father, was at last sentenced to transportation, but happily is now under the care of the Rev. Sydney Turner, at

that admirable institution at Red Hill. The younger brother of that unfortunate child will, I hope, be placed, within a very short time, under the care of Miss Carpenter, at Kingswood. It was only last week that two children were committed for the first time, charged with a very trifling offence. They told me that their father kept two cows, the milk from which he sold; that he was well employed, and that his earnings were sufficient to maintain his family in great comfort. And these two boys, owing to the deplorable strike that has taken place in my town, were actually turned out of doors by their father. They were told, in plain terms, if they could not bring anything in, they should not come there. Upon a certain occasion, when addressing my unfortunate prisoners in the chapel, I dwelt upon the great question of parental responsibility. One of my hearers sent for me next day, to complain that, although he had done his best for his child, he was afraid he would turn out bad. He said he had done all he could; he had even turned him out of doors, but he was no better.*

Mr. Clay remarks, that although this parent had a knowledge of what the moral conduct of a child should be, he proved by his threat of turning the boy out of doors that he had no idea of PARENTAL RESPONSIBILITY. If, however, a Reformatory Institution had been established in Preston, upon the principle of Mettray, Red Hill, or alas! that we should write it, that which after thirty years of admitted utility, was *closed*, at Stretton-on-Dunsmore, the father would have been entitled to send his son to that institution upon paying a certain sum for his support. Establishments of this class are, amongst others, those for which the Lord Advocate's and Mr. Adderley's Bills provide; had these Bills been Acts of Parliament, Mr. Clay would never have been driven to deplore the hopeless impotency for good which the despairing father evinced, when expressing a determination to cast his child upon that "stony-hearted stepmother," the street.

The testimony of Mr. Pearson, of Mr. Recorder Hill, of Miss Carpenter, and of Captain Williams, we shall hereafter adduce, upon the subject of PARENTAL RESPONSIBILITY; it is in evidence, founded upon practical experience, and far above that knowledge which is derived only through "the spectacles of books." Every man who knows the history of the movement should be acquainted with these theories; from their complete adoption must the success of the Reformatory Institutions spring; from the ignorance of them does that increase of juvenile committals arise in France—from the ignorance of them have

* See "Report of the Proceedings of the Second Conference on Juvenile Delinquency and Preventive and Reformatory Schools, Held at Birmingham, December 20th, 1853." pp. 75-76.

vast expenses been entailed upon these Kingdoms; from the unwillingness of the legislature to acknowledge PARENTAL RESPONSIBILITY has Mr. Frederick Hill been forced to write—"The expence of our present system is enormous, we commit and recommit, each recommittal being a certain cause of increased future expence, as the culprit is but hardened in vice by contact with his fellows. From a return made to the House of Commons in 1852, on the motion of Sir John Pakington, of the number of criminals not exceeding 16 years of age committed to prison in the years 1849 and 1850, we learn that in 1850 the total number of these juvenile offenders was 7,070. Of these about three-tenths were under 13 years of age; and of 757, under 16 years of age, and remaining in prison on the 1st November 1851, 205 had been imprisoned once before, 90 twice, 49 three times, and 85 four times or oftener; 45 were illegitimate, 329 had lost one parent, 103 were orphans, 327 were unable to read, 554 had no trade or occupation. Had these children been committed to some Reformatory School, we might, we would, have been spared the increased expenditure on their committal, and they would have become good and virtuous rather than more determinedly vicious." Without this PARENTAL RESPONSIBILITY the movement in France or England must become a failure in its conclusion, as it would be a blunder in its inception. We here, for the present, close our consideration of the first cause of the assumed embarrassment of the Reformatory principle in France, (there is, we admit, an embarrassment of some Schools) and turn to the examination of that second cause which is, as we have stated, but a consequence of the first—Vagrancy.

As has been a thousand and a thousand times stated, vagrancy is a prolific source of evil in all countries. Mr. Clay's *Reports*, in common with those of every Prison Chaplain, prove the monstrous evils brought upon the country by the temptations which this wandering life necessarily affords, and the opportunities of theft which it furnishes to the more evil disposed. In France, the numbers in 1851 charged with vagrancy amounted to 7,528, the numbers convicted amounted to 8,236; in 1852 the numbers charged as vagrants were 7,956, the numbers convicted were 8,674. In the former year those charged with mendicancy were 8,150, those convicted 9,285; in the latter year those charged were 8,248; those convicted 9,411.*

* See "Report on the Administration of Criminal Justice in 1852," Moniteur, June 9, 1854.

These numbers are large, but how many of the vagrant and mendicant juveniles may not have been driven, sent, or permitted, nay, reared to these courses by parents? With no law of PARENTAL RESPONSIBILITY in force, the parents, be their numbers great or small, have escaped with impunity; and that they will long escape, that the "population croissante" will increase, that the French Reformatory Schools, *recently* established, will become, more and more, "colleges de pauveres" is, we fear, a certainty, as the Minister of the Interior can discover no better means of checking the assumed evil, than by immuring the male juveniles in the Schools, from which they shall be drafted to the army, and by transferring to the convents the sole management of the females, who may thus be, as M. de Persigny hopes, by a species of moral and religious contagion, reformed and rendered useful members of society. These are plans of reformation which cannot be attempted in England; and as to their efficiency in France, we believe they will but *add* to the very evil they are meant to counteract. But if a large number of the male and female juveniles were reformed by these schemes of M. de Persigny, the population of young criminals would still increase with the increasing population of the Empire. The private charity of the people will no longer be permitted to exhibit itself in the active cause of these Institutions, for assuredly, the Government intends to swamp the system, by taking the entire number of Schools into its own care, by an amalgamation of the various small colonies into large district establishments, to be supported from the present public general taxes, or from a future special imposition: and all this could be accomplished, the present Schools could be rendered eminently useful, if PARENTAL RESPONSIBILITY were recognised, and if a better and more careful system of management were carried out in the Schools established *since* 1850.

The facts relating to the evils of vagrancy are most important to the people of these Kingdoms. Mr. Clay, in his *Report* on the Preston House of Correction, for the year 1851, gives a most interesting and valuable, (but to which of his *Reports* will not these terms apply) account of the sources of vagrancy, and of the great amount of cost it yearly adds to the returns of prison expenses. All of our readers are fully aware of the vast benefits conferred upon the locality,

by the establishment of the Aberdeen Industrial Schools;* but even there the want of some defined law of PARENTAL RESPONSIBILITY has been proved a source of vagrancy; and the friends of the Schools have been not alone compelled to witness the withdrawal of the children from the Schools, that they might be taught to beg, but have been forced, as a necessary consequence, to raise the rate of assessment, an increased police force being found indispensable. These facts are proved by the following passage from the *Report by the Rural Police Committee to the Commissioners of Supply of the County of Aberdeen, at their Annual Meeting, on 1st May*, 1854, and which we have received, through the attention of Mr. Thomson of Banchory. The *Report* states:—

"It is particularly deplorable to find that no fewer than 653 women, and 456 children with adults, and 17 juveniles wandering alone, are reported. This is a most undesirable state of things; for it is well known, that bad as a life of vagrancy is for men, it is infinitely worse for women and children. In immediate connection with this, it seems worthy of notice, that by the published returns of the various Industrial Schools in Aberdeen, it appears that during the summer and autumn months of last year, a number of children were withdrawn from the Schools, corresponding very much with the numbers encountered by the Police.

There can be little doubt that they were taken from school by worthless parents and relatives, to be employed during the fine weather in the lucrative trade of begging. This furnishes a strong argument in favour of a law to enforce the attendance of neglected juveniles at Industrial Schools, and one at least equally strong against that system of thoughtless almsgiving which tempts parents to remove their children fron institutions where they would be carefully trained and instructed.

The number of Gipsies and Tinkers has increased more than a half. The number reported this year is 830, or adding 1-8th, 934—last year, 601—two years ago, 320—previous to which they had almost disappeared from the county."†

To precisely the same effect, in many points, are the evidences furnished by Mr. Clay, who reports the statement of a prisoner thus:—

"I have had many opportunities of observing the state of Hereford, having travelled throughout the county in 1844 and 1845 with a

* See IRISH QUARTERLY REVIEW, Vol. IV. No. 13, pp. 59 to 65, and No 14. pp. 383 to 386.

† See the "Report," p. 4., see also, for an account of the causes of Vagrancy and Crime in Scotland, Mr. Thomson's "Draft Report, by Sub-Committee of Rural Police of County of Aberdeen, on the causes of the Recent Increase of Vagrancy and Crime in the County," 1852.

Bazaar,—and also on other business. I believe that the majority of criminals are vagrants and tramps, who infest the county in the summer and autumn, under pretence of hop picking, cider making, &c. I have passed scores of them, on the same day, between Leominster and Weobly. Their mode of existing is this:—following each other in twos and threes from village to village, and farm to farm,—they obtain some food, and are never refused cider. Thus they travel through the county, sleeping in outbuildings and barns. The labor test keeps them from the casual ward of the *Unions*, and in the winter they flock in droves to Merthyr Tydvil, Blenavon, Dowlais, and other iron works in the adjoining county of Monmouth, and in South Wales, where they beg or steal in the day time, and sleep at night in the cabins, and about the furnaces.* . . . . In Herefordshire, low cider-houses—where beer also is sold—abound. In the city much better order is maintained;—vagrants are apprehended, or sent out of the liberties; but several gentlemen in various parts of the county, hold out, as it were, a premium to vagrants, by allowing to every one who calls for it, bread, cheese, and cider. Amongst these are Sir R—— P——, Bart., B—— B——, Esq.; also a Roman Catholic family near Weobly, and others. This I have ascertained from parties who have frequented these places, and with whom I have conversed while journeying from town to town. In fact I was at Sir R—— P——'s about a horse we had purchased from his steward; and that gentleman (the steward) told my partner and me that he has known upwards of a hundred tramps to call for the relief in one day. We saw, then, about a dozen waiting.† These are the parties who form the bulk of criminals in Herefordshire, and will continue to do so under the present system. . . . In Weobly, a very small place, almost every fifth or sixth house deals in cider. . . I saw, one morning, at a place called Pembridge, upwards of twenty men, women, and children turn out of a barn where they had spent the night, and pass on to their different stations of begging and plunder:—not even following the example of the brutes, by giving themselves a good shake. . . . . Large quantities of cider are left exposed in vats in outbuildings. I have seen tramps sitting in the lanes on a morning, dozing round a fire they had fed all night, with an old bucket partly full of cider which they had stolen from some neighbouring farmer. They made no secret of it. . . I have frequently purchased fowls from these parties for a mere trifle."‡

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* This throws some light on the excessive rate of criminality in Monmouthshire.

† It is not very many years since mistaken charity thus encouraged the idle and the vagabond at the mansion of one of our oldest and most respected Lancashire families.

‡ See "Chaplain's Twenty-eighth Report on the Preston House of Correction, Presented to the Magistrates of Lancashire, 1851." Preston: Clarke, 1852, pp. 58, 59. For an account of English Vagrants generally, see Mayhew's "London Labor and the London Poor," Vol. I., pp 246 to 261.

So far we have written of Mettray as if there were some evidence of failure in the working of its system. We have adopted this course for the purpose of explaining the real source of the embarrassment of some ill managed, recently established, Reformatory Schools in France—and we took the opportunity of showing the bearings of this topic upon the peculiar circumstances of these Kingdoms. But what is Mettray in reality? Mr. Recorder Hill went there six years ago, expecting to find it an amiable delusion; he left the institution convinced of its efficacy, the defender of its principles, and made the explanation of those principles the chief topic of his able charge to the Grand Jury of his borough at the succeeding sessions—Michaelmas, 1848. Mr. Robert Hall, Recorder of Doncaster, visited Mettray in September, 1853, and he went there believing, like Mr. Hill, that it was but a good man's folly. He returned, and, again, like Mr. Hill, his first act was a public demonstration of his complete approval of the system.

In his *Lecture*, read before the Leeds Philosophical and Literary Society, on the 4th of last March, Mr. Hall gave a most important account of the institution at Mettray—it is peculiarly valuable now, when so many mistakes have been made by the most influential friends of the movement, through a misconception of the perfect testimony borne, by M. de Persigny, to the success of the colony; mistakes which can only have arisen from that acquaintance with the *Report* to be gathered from the most imperfect epitomes given in the French newspapers. And indeed this document of the Minister can only be understood by a careful study of it, as given in the *Moniteur*.

Mettray, Mr. Hall states, is more like a watering place than a penal establishment. There are no locks, or bolts, or walls—and the boys can escape if they please, but escape is always punished severely—recapture is almost certain—only one of those attempting to run away has been successful in evading pursuit. It is the leading principle of the establishment, that all the necessaries required in the institution shall be manufactured in it, and that, as far as possible, all those manufactured shall be consumed by the inmates Colonists more advanced in the knowledge of trades teach the less advanced; a cow-house containing twenty cows is attended by those of the boys mean for agricultural labor; several hundred acres, part the property of the Society, (part held on lease) are cultivated

by these boys, the land being divided into four farms, each possessing a complete set of farm buildings, and managed by its own "family."

The workshops are, as far as possible, placed under the care of workmen of good character, who have passed through the institution. The children are put to such business as they may select, and for which they show a capacity, regard being had to the trades in which their parents and connections may be engaged. Thus, for example, children from Paris, and other large towns, are generally put to tailoring and washing; tailoring, however, each boy is taught for a certain period —sufficient to enable him to keep his own clothes in repair if necessary. Children from sea ports, or desirous of becoming seamen, are exercised in all the working of sails and yards, in a portion of the ground shaped like the horizontal section of a large ship, and all are exercised in gymnastics. All, capable of learning, are taught music and singing on Wilhem's system. The food is simple—and the clothes consist of coarse pantaloons, blouse, and loose wooden sabots; on Sundays a smarter blouse, and shoes, are worn. The Refectory is also the Dormitory; each colonist has his hammock, and at night these are slung across the room, the head of one boy being to the feet of him at the opposite side of the apartment, with a passage between, and thus whispering is prevented; the room is wide enough to admit of two rows of hammocks slung in this way; the chef, or sous-chef sleeps in the same room, in a hammock a little more comfortable than the boys'. Each colonist has two open shelves for his clothes and dressing apparatus, and the entire room being exposed, tends to produce order and neatness, and a premium is given to those who keep their clothes in a condition to be worn beyond the fixed time.

The cost per day of each colonist is as follows :—bread, 3d; clothes, a considerable fraction less than 1½d.; fire and light, 2-1000 of a penny; washing, 4-1000 of a penny; the board of the officers of the establishment amounts to only 7d per day. There are ten houses, besides four farm-houses, occupied by the colony; the dimensions of each house are 12 mètres by 6.66, two stories high, the ground floor being occupied by work-shops; each house contains one family, each family numbers 42 persons, consisting of two officers—the chef and sous-chef—and 40 colonists. Two of the colonists, called *elder brothers*, are elected quarterly from the members of the family

by universal suffrage and vote by ballot, the election being subject to the veto of the directors. These *elder brothers* are distinguished by a scarlet band on the left arm, and they assist the chef and sous-chef in preserving order and discipline. Every colonist gives a formal salute when passing any of the staff of management, and the salute is always returned with the most serious gravity; all signals and calls are made by sound of trumpet, and the boys, when moving together, march in double line. In the Refectory they stand until, at a signal from the chef, grace is said by one of the colonists; all then seat themselves, and refrain from touching the bread until soup has been served to them. The colonists labor during ten hours, two additional hours are devoted to the usual branches of primary instruction. All the children, save those of the farm-houses, are taught together in the same class room; instruction is given to the monitors at a different hour, and children in hospital, and those in cellular confinement, are also taught. In summer the school hours are during the heat of the day; in winter by lamplight at morning and evening.

Those who leave the school are, if necessary, provided with places by the Patronage Society, the principle of which is, that the associated patrons, men of all ranks, bind themselves to take the care of at least one discharged criminal at a time, to bind him apprentice, and to guide him by moral and religious counsel. The patronage lasts for three years; but the care of Mettray does not end here; through clergymen, magistrates, and others, it exercises a moral support, rather than a surveillance, over the young man by this means; and the friends of the institution who undertake to observe his conduct, return every six months an answer to a series of questions forwarded to them by the Society. Those in the neighbourhood of the colony frequently spend their Sundays there; the house is always open to them if they bring a certificate of good conduct; when out of work they may return to it until provided with employment; if sick the hospital of the colony is free to them. Those at a distance are encouraged to correspond with the colony, and every letter is carefully and punctually answered; relapses into crime are not followed by abandonment, and although the dangerous example of taking back to the colony a fallen brother is never witnessed, yet every exertion is made, frequently with success, to reclaim him.

These are the evidences and facts stated by Mr. Hall, in his

now invaluable *Lecture.* They are the facts to which Mr. Hill, and Lord Brougham, and Mr. William Cotton, bear witness; they are the facts to which, M. Demetz, in his *Report*, which we shall presently introduce, affords the proofs; and when the increased number of committals of 1852, over those of 1847, are dolorously referred to by well meaning, but nervous philanthropists, it would be well if they remembered the causes of this increase, to which we, in an earlier portion of this paper, referred; they should remember in addition, a fact stated by Mr. Hall, that owing to the success of the system the public are no longer unwilling to prosecute for *slight* offences; whilst the authorities have applied to these very offences, *long* terms of reformatory treatment; so that the 6,443 juveniles of the year 1852, include a large number of the 4,276 of 1847, and of subsequent committals. Mr. Hall also draws attention to the fact, that the Minister of Criminal Justice, in his *Report* published in the *Moniteur* of the 9th of last June, attributes the number of prosecutions, especially for minor offences, not so much to any increase of crime, but to the increased number and efficiency of the rural police.

We have, with considerable satisfaction, placed this sketch of the present position of Mettray, as given by Mr. Hall, before the reader; we shall now insert some very remarkable opinions expressed by him, in stating the impression produced upon his mind by all that he saw and heard at the Colony:—

"We were taken by a decent old woman, who performed the functions of a porter, to a capacious hall, which we afterwards found to be the class-room. For the time it was quite unoccupied, and whilst waiting there for a conductor we observed at one end of the room a bust of M. de Courteilles, who died in the spring of 1853: under the bust is the following inscription, an extract from his will—'J'ai voulu vivre mourir et ressusciter avec eux.'

"At the other end is the bust of the present Emperor, with the following inscription: 'Ce n'est pas la volonté de votre père qui est au ciel qu'un seul de ces petits périssent.' (Matt. xviii. 14.)* Various appropriate drawings are hung upon the walls, but the most conspicuous object was a manuscript list containing the names of 305 colonists who, during the three months ending 31st June, 1853, had given no occasion for punishment. Out of this list forty-seven names had been struck out, shewing that those individuals had given occasion for punishment since the preparation of the list. A list of this description is made up at the end of every quarter, and hung up for public inspection in the class-room during the ensuing quarter: the fear of being excluded from this list is found to operate as a strong incentive to good behaviour.

* This is a mistake, the inscription is over the crucifix, as Mr. Hall, informs us.—Ed.

"We next went to the principal chapel; there is also another smaller chapel, which we saw afterwards, for the use of theSisters of Charity: the larger chapel is for the use of the colonists. It is so arranged that the prisoners in cellular confinement take part in the service; the cells having been for that express purpose built behind the altar: the smaller chapel is placed between the wards of the hospital with which it communicates by means of open windows. The principal feature of the larger chapel is a list occupying the whole of the wall at the west end, in which are inscribed the names of all the founders, *i.e.* of all donors of 100 francs and upwards in one sum; the names of Protestants are found there as well as of Roman Catholics. The colonists attend twice on Sundays, but there is no week-day service, the directors wishing to accustom the boys to such habits and practices only as they will be able to continue in the world in after life.

"The founders of the institution have laid great stress on the influences of religion as affording the only solid foundation for the reformation of criminals, and the words Maison de Dieu are inscribed in the front of the church as an acknowledgment that unless the Lord build the house their labour is but lost that build it. (Ps. cxxvii. 1.) The proportion of communicants is considerable, and it is noticeable that at the approach of the great festivals there is always a marked diminution in the number of infractions; but as a check to prevent applications to be admitted to the Holy Communion from indirect motives, a double punishment is inflicted on all communicants for all faults committed within the week following. A great point is also made of the due observance of the Lord's Day, but it must be remembered that we are speaking of a country in which even those who most cordially admit the obligation, entertain what in England would be regarded as extremely lax notions on the manner of complying with it. All the colonists at Mettray are Roman Catholics, but this is only to avoid the inconvenience of mixing children of different persuasions. M. le Comte de Gasparin, the president of the society, is himself a Protestant; children of that faith are sent to a Protestant colony at Sainte Foy; if by any rare accident a non-christian child should be sent to one of these colonies, it must follow the religious instruction of the rest. There is family prayer in each house morning and evening.

"Much counsel and instruction is communicated through the medium of elder brothers which could not be given with equal effect by the superior officers, whose interference for purposes of exhortation is thus reserved for graver occasions. The instinctive love of popularity and power which, productive thought it be of so many bad effects, is surely implanted in our nature for good and beneficent purposes, must necessarily act as a powerful stimulus to those who are in a position to aspire to the office of elder brother. A mixture of indirect motives seems to be inevitable, but the necessity for conciliating the affections of the younger members will counteract the tendency to oppression which almost invariably exhibits itself when power is vested in youthful hands; and officers who are elected by one body, and are responsible to another, will be

exercised in the performance of duties often of extreme delicacy. This institution of elder brothers is justly regarded as one of the mainsprings of the system; it gives the body of colonists living together in the same house the habit of acting together for the common comfort of their domestic relations, which is a considerable step towards the creation of the esprit de famille. This is still further promoted by another regulation which to English ears may sound rather fanciful, but I was assured that it is found to be of considerable effect in the colony of Mettray. I have already spoken of a gereral quarterly list, containing the names of all the colonists whose conduct has been blameless during the last quarter: a similar weekly list for each family is hung up in the family room: in addition to this, and to the other objects which might be expected in such a place, we saw on the walls of the house which we inspected the model of a ship, and a piece of embroidery with the words Dieu Seul. These, and probably some others of the same kind, had been sent to the particular family as a sort of votive offering by liberated colonists, formerly members of the family, and were in each instance the proper handiwork of the donor. The use that they are put to is this; whenever the particular family presents what may be compared to a clean bill of health for the week ending on any given Saturday, *i.e.*, when no one member of the family has received punishment during the week, these offerings are displayed upon the walls of the family house, and so continue until some member of the family has received punishment, upon which the ensigns of honour are immediately struck, and the family has to begin over again its course of good behaviour. Objects of this kind are sometimes presented by the directors as a sort of collective reward to the family. On the death of M. De Courteilles, a month's good behaviour without a single punishment was held forth as the means by which a family might obtain an engraved copy of his portrait; which at the end of five months had in this manner been added to the insignia of honour of every family.

"We were told that the great body of the members of every family take a most lively interest in having these insignia displayed, and are thereby induced to make great exertions in correcting the vicious tendencies of the weaker members; the mauvais sujet becomes the object of the most lively solicitude, not merely with the superior officers, the chefs and sou-chefs of the family, and the elder brothers, but with the whole body of his brethren jointly and severally. This certainly is a most powerful engine: the eyes of the whole society awake to prevent the offence from coming; the cares of the whole family applied to wean the wayward from his wilfulness. The objector will say that the motives are indirect; but, if it be often true that those who come to scoff remain to pray, we may surely hope that the cares which have been begun from a low motive are ultimately continued from the very highest. The directors of the institution consider that they have succeeded in imbuing the colonists with the esprit de famille. I think it must be conceded that they have excited a spirit much holier and more efficient than the mere esprit de corps. If everybody is sincerely striving to make

everybody good I will not enter into a metaphysical analysis of motives.

"We are not surprised to learn that a family has been known to petition for the expulsion of an incorrigible member; it was natural but somewhat selfish. It is a more characteristic trait that on one occasion a family compelled one of its members to give back a book which he had received as a prize, he having disgraced himself by subsequent bad conduct. On occasion of a public subscription for the sufferers by an inundation at Lyons, the whole establishment volunteered to give up a meal, that the cost of it might go as their contribution. The appetite of one poor fellow was stronger than his charity, and he preferred having his dinner, which was served to him as usual without objection, but his comrades punished him by sitting at table with him whilst he ate it.

"But you will ask whether, to produce these results, there must not be something peculiar in the constitution of a family as well as in its organisation? There is. Every man who has reflected on the subject must have observed the power of assimilation exercised by majorities over minorities: the families are constituted with a view to apply this power to the fullest advantage. With one exception the families are permanent; when a young man has once become a member of any given family he remains in it as long as he remains in the colony; it is obvious that where the ties of blood are wanting it is of importance that the ties of domestic intimacy should be unbroken. The way then in which the families are formed is this; in their original constitution no regard was had to the classing together of persons whose terms of detention would expire at the same time, but if anything the contrary. Vacancies in each family occur then from time to time, and are from time to time supplied from the new colonists sent by the Minister of the Interior, the principle of the distribution being that of associating the smallest possible proportion of the raw and uncultivated with the largest possible proportion of colonists already trained to the system and imbued with its spirit. But you may object that the division must be regulated by the number of vacancies. Here the exception to which I have alluded comes into play. The children sent to them are sometimes little past the age of helpless infancy: I saw one of five years and a half. For the younger children it has been thought desirable to have a special family which is only provisional, and out of which they are draughted into their permanent families as from time to time they are considered to be qualified: you will at once perceive that this affords the ready means of equalising the distribution of the new comers. It must be particularly noticed that there is no probationary or experimental association of the new comers, even for the shortest period; that, as long as it lasted, would leave the good element in the minority. The knowledge of the child's character which it is desirable to have before classing him, is obtained partly by a diligent enquiry into his antecedents, partly by sending an experienced person to escort him to the colony, and on the journey to give full scope to the bent of his character, and if possible acquire his confidence.

"Another important feature which we did not even hear mentioned, is the school for pupils. The founders of Mettray, feeling that the assistance of a body of officers specially qualified for the purpose was indispensably necessary, as one of their very first steps, even before the first stone of their buildings was laid, called around them twenty young men of respectable families, and invited them to take part in the experiment. These young persons took upon themselves a life of self-devotion, they put on the farmer's dress, submitted to the discipline they were to enforce upon others, and gave themselves up to the inspiration of their chiefs; at the end of six months they received the first colonists, only ten in number. This disproportion of the active force to the mass which was to be acted upon was probably greatly conducive to the early success of the undertaking: any lack of experience would be more than compensated by the advantage of the teachers being the majority; and, by the time that the number of colonists had sensibly increased, not only had the teachers acquired some experience, but the first comers had been partially assimilated, and orderly conduct would still have the predominance of numbers. This preparatory school is still continued, not merely for the purpose of keeping up the staff at Mettray, but to prepare officers for the numerous institutions of the same nature that are springing up in every direction. It is kept quite distinct from the reformatory colony, except so far as the pupils are called upon or permitted to assist in the management; they are not received before the completion of their fifteenth year, nor unless they are persons of irreproachable morality, and fairly masters of the knowledge taught in the primary schools. If, as must occasionally happen, the superior education which a young man receives in this school expands the germs of self conceit, or calls out a display of exceptionable motives, he receives an intimation that he has mistaken his mission, and is requested to withdraw.

"As far as is practicable no person is employed in the institution, even as contre-maître, who has not passed through this school. The pupils are the subject of the most affectionate solicitude on the part of the directors, and, what to an Englishman appears to be the most remarkable feature of his self devotion, M. Demetz lives in common with his officers and pupils. We saw the room in which they all of them live on their sevenpence a day.

"Another matter of which we heard much and saw very little, is the system of rewards and punishments. I have already spoken of the great use which is made of honorary distinctions, special instructions and privileges as rewards for regular good conduct; a few prizes are also given for special good conduct; the loan of a knife or the like on Sundays and holidays is an inexpensive mode of giving pleasure. If a colonist distinguishes himself by the energy of his labour he receives an extra allowance of soup at dinner, but in no instance is any reduction of the regulation allowance of food inflicted by way of punishment. Offences requiring domestic correction are of course of constant occurrence. The punishments in use are confinement, hard labour, erasure from the list of honour, cellular confinement in the light, cellular confinement in the dark, sending back

to the central house of correction; whipping is absolutely excluded.* In certain classes of cases the charge was at one time tried, and the sentence pronounced by the colonists themselves, the directors reserving only the prerogative of mitigation; but that has since been abandoned as taking up too much time. When an offence is committed the punishment is never inflicted on the instant; the overlooker takes the culprit to a room set apart for the purpose, and there leaves him to his own thoughts for a while, giving him time to cool before the director inquires into the case. By far the most effectual of these punishments is found to be cellular confinement, but great pains are taken to prevent the lamentable consequences which are said to have resulted from the adoption of it in some prisons. A portion of every day is devoted to out-door labour at breaking stones or cleaving wood; the cells are placed behind the altar and so arranged that the détenus take part in the services of the church; they receive instruction according to the system introduced by M. Villars into the penitentiary of Paris, and the directors, especially the almoner, pay them frequent visits. It is found that the full scope which is thus given to the voice of conscience, the exhortations of religion, and the instinctive desire for liberty, produce the most astonishing effects on the most indomitable natures.

"Once a week the registers are made up, comprising a sort of debtor and creditor account of the conduct of each colonist; the more salient points are made the subject of admonition and exhortation, by M. Demetz, before the whole colony assembled after morning service on Sunday: some natures, after having resisted every other mode of treatment, have yielded to this. These registers form a succession of records of much interest to the student of human nature; every peculiarity of manner and conduct down to the careless tying of the neckcloth, is noted there.

"There is also another register of which I heard nothing on the spot, but which has been since brought to my notice. Every chef d' atelier makes a daily return indicating the degree of industry exhibited by every young person under his superintendence; upon this return is based the additional allowance of food allowed to the more industrious: once a month the members of each workclass, under the guidance of their chef d' atelier, prepare from these returns a list of the class according to the order of merit in respect of industry only. These lists are read before the assembled colony the first Sunday in every month, and the five most deserving in each class have a premium of five francs added to their little capital in the Savings' Bank. The experience of Mettray is that the besetting weakness of the colonists is idleness: on that account they provide this special stimulus for the encouragement of industry. I have been informed that another use is made of this list, which may afford a useful hint. It is the way of idleness to imbibe a special dislike for the particular employment to which it is set: how is the manager to draw the line between a culpable facility of change, and the dispi-

* The quarter of punishment, as it is called, is constructed on the model of the Cherry Hill Prison, Philadelphia.

riting consciousness that the destination however uncongenial is irrevocable? At Mettray it is held out to them that they may change when they have fairly placed themselves amongst the first five of the class to which they have been assigned: by that time, of course, the wish for change has, in general, passed away."

We have, in a former portion of this paper, inserted a translation of the Report of the Minister of the Interior, so far as it relates to these Reformatory institutions, and in an appendix we have added a reprint of the original: we now insert a translation of all the important parts of the Annual Report of the present year, on the condition of Mettray, recently published by M. Demetz; and we have reprinted the original in the second appendix to this paper. This we think the proper course, and the most gratifying to those who are disheartened by the *Report* of M. de Persigny; as, in conjunction with Mr. Hall's *Lecture*, it will prove to them the groundlessness of fear, doubt, or hesitation, as to the complete success of the reformatory movement in France :—

REPORT OF M. DEMETZ, DIRECTOR OF THE AGRICULTURAL COLONY OF METTRAY,

GENTLEMEN,

It is not in vain that you have honored Mettray with your benevolent patronage, for every year continues to establish by repeated success, the triumph of the moral principle which is the very soul of your work: the past and the present warrant the promises of the future. The facts which we are about to present for your information, will, we hope, make you sharers of our own conviction in this respect.

In our preceding Report we bound ourselves to respect what our honored friend, M. Le Vicomte de Courteilles had organized with such devotedness, such persevering efforts, and often at the expense of painful drudgery. We have been faithful to our word, and now we shall have merely to give an account of certain improvements, the advantages of which have been made manifest to us by time and experience.

At the opening of this colony, we divided our young population into families, and it cannot be too often repeated, that it is to this organization, we owe the success of Mettray.

On Sundays, a report is made in presence of the assembled colony, of the conduct of, and the work done by every family, and then, of the individuals who compose it. Every child that merits it gets encouragement, and every family whose conduct has been satisfactory, receives a premium. This emulation in the family continues to produce good results. But this was not enough; we considered that it was possible to give a greater impetus to this emulation in

good conduct, by extending it from the individual to the family, and from the family to the entire colony.

With this view we have established an honorary prize awarded to the family that has shown itself irreproachable during the past week: this is a banner with the national colors, and this simple Legend—*Colony of Mettray. Honor to the Family.* * * * *

During exercise, the family that has merited this distinction, marches at the head of the colony whose standard it bears. This symbol, a striking public testimony of blameless conduct, arrests the attention of the numerous visitors to Mettray: their praises are not wanting to the meritorious family who, joyous and elated, find therein a sufficient recompense for the accomplishment of their duty: the other families feel an equal desire to obtain the precious banner, and all endeavour to excel their fortunate rival.

This eager struggle as to who shall do best, promotes the moral design of the institution in proportions better exhibited by figures, than by the most eloquent words.

Before the inauguration of our flag, the number of our children inscribed on the list of honor, was 66 per cent. of the entire amount of our inmates: it is now 74·5, and we may add, that during the last three months, there have been admitted thirty-seven children who could not compete for the prize, as under our regulations, no colonist can be placed on the honorary list, till he has been exempt from punishment for three months.

Owing to the same influence, the number of children consigned to the penitential department, which was formerly an average of 2 per cent. per day, is now reduced to 1·25 per cent.

But it must not be supposed that we should have arrived at such a satisfactory result in so short a time, if we had not striven from the beginning, to enkindle by all possible means, a sense of honor in the hearts of the children. We ceased not to repeat to them, that they were received at Mettray, on their parole in a certain sense; and that to a truly honorable heart, no barrier was so insurmountable, and they felt the full force of our observation. Out of 1,679 boys admitted to Mettray, up to 1st January, 1854, one only deserted; and his name is a word of contempt among his comrades. Not a single evasion has been attempted since the beginning of the current year. †

When a fire is reported in our neighbourhood, and unhappily, accidents of this sort occur but too frequently of late, our boys betake themselves to the scene of the disaster in double quick time, and frequently give proofs there of the greatest courage; but we are careful to insert in our regulations, that boys who have been

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* The name of the successful family is inscribed on a shield attached to the flag-staff.

† This statement proves that Mettray cannot be included in the contingent of the statistic report which, M. the Minister for the Interior, has just published, and which states that during the year 1852, there were thirty-four evasions, among every thousand inmates, in the agricultural colonies.

consigned to the penitential quarter, are to be deprived of the liberty of marching on such occasions with their comrades, in order to make them sensible of the happiness felt in doing a service to our fellow-creatures.

The regiments stationed in Tours, often take walks in our direction: * the precision of the movements, the instantaneous obedience to the orders, the attention shown, the neatness of the uniform, the ensemble, in fine, of the whole military equipment, induces a great proportion of our youths to enter the ranks of our army. This career has thus the advantage of withdrawing a very great number from the pernicious influence of family connections.

Every week, as we have said, they give to the families whose conduct has been very satisfactory, a premium which usually consists of an engraving, representing some trait of courage, or some religious subject: sometimes it is one of those battles which have conferred such honor on our army, and sometimes a naval engagement, as we have among us several boys destined for the marine service. † The sublime scene of the death of the Sainted Archbishop of Paris, or the devotedness of a Sister of Charity, saving an officer in an emeute, at the risk of her own life, are thus placed before the eyes of our children. The admirable examples in these pictures compose the ornaments of our assembly rooms, and serve as a popular museum of grandeur, heroism, and sanctity.

It is by the view of such episodes as these—it is by such means of catching the eye, of occupying the thoughts, of enkindling the hearts, that we direct those lively imaginations, too ready to go astray,—and that we succeed in counteracting the dangers of the monotonous existence which, in prisons, leaves a man at strife with himself, in other words, with his self-degradation and his resentful feelings towards his kind.

But, gentlemen, if we make it our happiness to cultivate the good dispositions of our children by all possible means, believe also, that those who show themselves not amenable to our instructions are made the object of extreme severity on our part, in order to strike a salutary terror into those similarly disposed: so the least infraction of the rules of the house is at once summarily punished.

Our correctional quarter has been constructed on the model of the prison at Philadelphia; ‡ it enables us to proportion the degree of

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* It becomes our duty to state that on each of these visits, a collection is made by the officers for the benefit of the colony.

† We have many boys from the Coasts of Brittany, who have made short trips along shore, and who intend to resume their old employment again. The new distribution of three-masted vessels, which we owe to the liberality of M. the Minister of Marine, enables us to complete the education of our pupils in this department.

‡ M. Blouet, whose name it gives us always pleasure to pronounce, has had a Commission from Government to the United States, to study the Penitentiary system there adopted. He has formed the penal quarter of Mettray on the Model of the Prison of Cherry-hill, near Philadelphia: it is the first cellular establishment that has been constructed in France.

chastisement to the nature of the offence. It is by giving to those who conduct themselves well everything to hope, and to the evil disposed everything to fear, that we have obtained, in a moral point of view, those results which we are so happy to have to announce.

Religious instruction, so indispensable in every system of good moral education, occupies at Mettray the place which is its due, namely, the chief position. To give you thorough confidence on this head, it is only necessary to say, that we act entirely by the connsels of our worthy prelate, Monseigneur the Cardinal Archbishop of Tours, who unceasingly showers his favors on us.

On the occasion of the festival of Christmas, a retreat was conducted by an ecclesiastic chosen by his Eminence. The eloquence of this missionary carried conviction to all hearts: what a delightful and affecting sight to behold the entire colony arise at the Communion, to approach the Sacred Table.

The festival of Easter has been celebrated with no less fervor. We are very glad to have it in our power to mention such happy results. It would surely be a great matter if, even during the sojourn of the children in the colony, they continue to give proofs of sincere piety; but we have, besides this, the pleasure of announcing to you that, from the bulletins addressed to the colony by the patrons, we find that the greater number of our boys prove, by their perseverance in good, that the education received at Mettray has made a durable impression.

Out of 480 bulletins in which the patrons have mentioned the religious dispositions of their pupils,

70 are unfavorable,
401 are favorable.

Two of our colonists have even entered a religious society: we find it necessary to explain the causes which determined their vocation, in order to convince you of its sincerity. These two youths had been employed in the colony to officiate in the infirmary, this post having been assigned to them on account of the mildness of their disposition, and their eagerness to oblige their comrades. These good dispositions could not be otherwise than increased, being further encouraged by the example of our Sister of Charity, to whom the charge of the infirmary is confided. Our good Almoner, M. the Abbe Guirard, whose devotedness we cannot sufficiently eulogize, takes advantage of the seasons of illness to give instructions more frequently. This benefit, temporary indeed to those who stay but for a short space in the hospital, was rendered permanent for the two individuals mentioned, and wrought on them so powerfully that they have been found worthy, as we have stated, to enter into a Religious Order: what an enormous distance between the point of departure and the object attained!

This example, Gentlemen, is a proof the more, of the influence of the spirit of our institution, and presses on us the conviction which we doubt not but you share with us, that there are but few natures really intractable, if we could only afford time and care to subdue them; as there are but few unproductive soils, provided we spare no pains to render them fertile.

If all our children have not realized, when set at liberty, the hopes they excited during their sojourn with us, it is consoling, at all events, to see that the greater number have persevered in the good path, especially among those who have married and become fathers of families. They feel betimes that they owe to their children the education which Providence had called themselves to partake, and they send them to the colony, for which, we are proud to say, they have always felt the most lively gratitude: let us be permittd to mention an affecting example.

M.... had passed six years at the colony, and had become a good cabinet-maker. He returned at the expiration of this time to Nantes, his native place, where he was placed under the patronage of M. Marion. He was employed in fitting up cabins for the vessels in the harbour, but, in the revolution of February, all the naval works were suspended. M.... could no longer get work notwithstanding the exertions of his worthy patron, who for some time kept him employed at articles of furniture for which he had not the slightest need. M.... had a wife and two children, one of which was at the breast; nevertheless he determined to go abroad to seek employment, and his wife got a situation as wet nurse. His mother took charge of one of the children, and our colonist sailed for Lima, where, by his diligence, he soon won his employer's confidence, and got credit; and at this present time he has thirty workmen in his employment. After having laid by a sum sufficient for the expense of bringing over his wife and children, M.... appropriated 100 francs for the purpose of getting himself constituted a shareholder of Mettray: we subjoin the letter which accompanied the money order.

[Here follows, in the original, the letter addressed to M. Demetz, mentioning M.—'s wish to the above effect, and expressing his grateful sense of the benefits received in his sojourn at Mettray: for this, and all letters hereafter mentioned, see the Second Appendix to this paper.]

Gentlemen, let us admire the ways of Providence which has allowed such sentiments to spring up in the hearts of poor children, who would have been lost but for you; a Providence which permitted a stone detached from the building to serve to consolidate it afterwards. What an encouragement for our colonists when they read, emblazoned in letters of gold on the chapel walls, the name of one of their comrades as *Founder of the Colony*. What a scope for salutary reflections in this simple fact!

MORAL STATISTICS OF OUR SETTLED PUPILS.

953 boys have been set at liberty from the foundation of the Colony up to January 1st., 1854.

The first colonist leaving Mettray was settled by our care on the 11th of November, 1840.

101 were liberated during the year 1853.

Among the 953 liberated colonists—

614 had come from towns.

339 from country districts.

387 went forth to be employed in agriculture.

282 went forth, having learned trades.

284 entered the military service (the greater number having engaged as volunteers), to wit;

In the land forces 323.
In the navy 61.

Among these 284 soldiers or sailors;

1 has been decorated with the Cross of the Legion of Honor.
9 have become non-commissioned officers.
17 have been made corporals.

A very great proportion have become soldiers of the highest grade, or been reckoned in the picked companies, and many are in the music bands.

62 colonists are married, and nearly all are considered good heads of families.

Of the 953 liberated;

774 have remained irreproachable.
58 are of indifferent conduct.
18 have escaped our surveillance.
103 have relapsed into bad conduct within these fourteen years, according to our bulletins of patronage, and the statistic tables of the Minister of Justice.

This number of 103 relapsed appears enormous at the first glance, but on comparing it with the total amount of the liberated, and on reflecting that it has been produced within the lapse of fourteen years, it will be allowed that the proportion of the backsliders of Mettray is but small, seeing that it has not exceeded 11 per cent, and that the greater number of the freed colonists have been brought up in large towns, where education in vice is unhappily but too prolific.

Again, the relapsed consist of—

75 natives of towns.
28 natives of the country.

The proportion of the relapsed is then 11 per cent since the foundation. It would be still less if we were not sometimes obliged to set at liberty children scarcely 12 years of age, and if we did not include in our account all that have gone forth since the founding of the Colony, a thing not done by all the Patronage Societies.*

As a general principle, the relapsed among the class of young détenus, as stated by the honorable M. Berenger of Drome, is 75 per cent.

16 relapsed children have near relations already in prison.

It must then be recollected that these children had received the very worst possible examples from their own family, and that some had even been prompted by their relations to commit the crimes for which they were arrested.

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* If Mettray had settled the moral statistics of its freed colonists similarly as the greater number of the Patronage Societies who exercise guardianship for three years only over their young clients, we would have out of the 304 boys sent out from Mettray in 1851, 1852, 1853, only to account for *ten relapsed*, being in the proportion of 3·28 per cent.

Among those who have been before the magistrates for the second time, and again set at liberty—

24 have since been of good conduct.

We cannot better exhibit the happy results of our patronage than by producing the following letters:

[Here are inserted, in the original, a letter from Captain Soulé, commending D. . . .,one of his troopers, formerly a Mettray boy; one from a clergyman, Rev. M. Couturier, concerning R. . . ., a shoe maker, with whom he is well satisfied; another in commendation of Z. . ., from the Curate and Mayor of Renning; and two letters from Colonels Sencier and De Goussencourt, mentioning three former élèves of Mettray, and now well conducted soldiers.]

We feel that we ought not to extend our citations further, and shall merely deposit on the bureau, the summary of the correspondence of our patrons.

M. Verdier is continually occupied about our pupils who are settled in Paris, with indefatigable zeal, and a disinterestedness which cannot be too highly praised; his task has been augmented this year by the slackening of work in the Ateliers, and by the increase in the number of our young clients.

Whenever we have reason to fear that a dearth of employment may continue, we send the boys back to the colony, where they are again entirely subjected to the discipline of the house.

They return, in a certain sense to replace themselves, under the wing of the head of the family who has brought them up, who has studied their characters, and who has long merited their confidence.

All our boys that are located in the farms lying in the environs, come regularly to pass the Sunday with their old comrades, assist at the offices of the day, and take their seats at meal-time, at the public tables, and in the same places which they occupied before when colonists. Those who are enrolled in the regiments quartered in Tours easily obtain from their colonel leave to come visit us, and generally bring along with them some of their new comrades: they take pride in showing these last the dwelling they inhabited, the hammock in which they slept. Nothing can prove more clearly that no unkindly feeling exists in the minds of the people towards our children; for every one knows how ticklish they are in the army on the point of honor.

Besides, our legislator himself has taken care to define the moral condition of our young colonists, and has traced out the line of conduct we should observe in respect to them. Hear in what terms M. the reporting Commissioner of the law on education, and the patronage of young détenus, expresses himself.

"What has been wanting to these unhappy children? The family which shall betimes make honest upright impressions, and infuse moral and religious inspirations.

"It is then a family which it is desirable to restore them to, in the bosom of an establishment, where just and benevolent tutors know how to join with strict regularity of discipline, the goodness of heart which attracts and attaches, and the high morality which inspires a taste for, and produces a habit of honest conduct."

It is then evident that in endeavouring to revive generous feelings in the hearts of our pupils, and to soften them by tender emotions,

we are only meeting the wishes of the legislator: to exhibit a greater degree of severity, would be to go in opposition to his intentions.

We have dwelt at some length on the conduct of our pupils when set at liberty, but the proof of the utility of our foundation depends on that circumstance altogether.

We cannot state such happy results without attributing the merit thereof to those patrons of ours, whose devotion to the cause seems to re-double, as the number of children committed to their tutellage increases.

In the impossibility of mentioning all, we must be content to cite M. Marion, Vice-president of the Civil Tribunal of Nantes, who not content with exerting his influence for our children, extends it even to their families. It is to the care he takes in imbuing their hearts with love for the colony, that we are indebted for one of the most touching traits that we have had to record: M. Marion was the patron of M....

We will also mention M. Crepon, Counsellor of the Imperial Court of Angers, who, at each sitting of the Assizes, never omits to remind MM., the gentlemen of the jury, that after having fulfilled the rigorous trust of the law confided to them, they should now esteem themselves happy to assist, by a collection, an institution founded for the purpose of preventing a repetition of those crimes which it was their duty to repress. *

M. the Abbe Pelletier, Vicar-general of Orleans, notwithstanding his many occupations, never shrinks from any efforts required by the surveillance of the numerous children placed under his patronage.

M. Christy de la Pallière, retired Navy Captain at Lorient, and Dr. Philippe, Chief Physician of the Bourdeaux Hospital, who in his capacity of Physician-in-Chief to the Army in Africa, has rendered such great services to our colonists there, show the most lively sympathies with our work.

We have many other such documents to register, but for want of space and apprehension of engaging in too tedious an enumeration.

On every side, in all localities, even those most remote from Mettray, we experience no difficulty in finding patrons for our children, and we can assure you, without exaggeration, that our only trouble arises from embarrassment of choice.

On this head we owe you some further explanation.

We continually receive at Mettray a great number of visitors, to whom we give the best possible reception, as well as to their families by whom they are frequently accompanied. We shew them the colony in all its details: in most instances they are touched by our attentions, and express their good wishes, of which we take immediate advantage by begging, that if any of our pupils should return to their neighbourhood, to be so kind as to look after them; and

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* The best means to testify our gratitude to MM. the Presidents of the Courts of Assize, who are anxious to assist us, is to give at the end of this report, a list of the Honorable Magistrates to whose initiative efforts we owe the munificent contributions of MM. the Members of the Juries.

this they promise with the greatest cordiality, while the immediate influence of Mettray is still strong within them.

The magistracy will do well to remember that we have not quitted its ranks, but with the object of giving to the law a more just, and above all, a more salutary application: we find in the law a powerful auxiliary as we have already stated.

We have kept a register since the foundation of the colony, where the names of all our visitors are inscribed, with the annotation of the various offers of service addressed to us; and we make an abstract of this register arranged by departments, consulting it whenever we have a pupil to settle.

We have taken the liberty of giving those details, in order to convince you of the sincerity of our assertions when we speak of the eagerness which we find in all directions to come to your assistance.

If in France we meet the liveliest sympathies, your work inspires an equal interest among our neighbours.

It is in contemplation just now in England, to make a law concerning juvenile prisoners, and the great lawyers who are specially occupied to prepare its elements, (among others, Lord Brougham, who has so recently honored us with a visit), * have been anxious to obtain from us, numerous documents concerning the system followed out at Mettray: of course we hastened to furnish the pieces of information requested, incited by the greatest zeal. In the fair domain of charity, we form but one people, without frontier, frontier-duty, or distinction of race.

But, gentlemen, it is not sufficient that we can find at Mettray sources of useful information: you ought naturally expect that from among your officers, some should go forth to carry to a distance, the fruits of their studies and their experience.

So, we are sanguine enough to hope that you will approve of the sacrifice to which we have submitted, not without regret, in separat-

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* We can scarcely describe the impression made on us by the visit of the Noble Lord to the Colony, which is fully sensible of the obligations under which it is laid by this benevolent proceeding, on the part of so illustrious a personage.

Lord Brougham was anxious to enter into the most simple details, and even deigned to sit at the table with the Officers of the Colony, and converse with them on the nature of their different employs. All felt the value of such a deference. We shall never forget the emotion which he exhibited on hearing our military band perform, *God Save The Queen*, and on seeing the British flag floating at the mast of our vessel by the side of the French colors.

Lord Brougham would not quit our establishment without leaving behind a proof of his generous sympathy, and we hope shortly to be able to erect a building which shall exhibit as frontispiece, (after the example of houses built at the expense of departments), these words, FOUNDED BY ENGLAND.

While writing these lines we have just received a visit from M. the Marquis, and M^me^ the Marchioness of Londonderry, who have shown, in every respect, a sympathy no less earnest than was exhibited by their illustrious countryman.

ing ourselves from one of our oldest heads of families, M. Leteur:* we proceed to state the cause.

M. Fournet, in pursuance of an agreement entered into with the hospitals of Paris, has settled a colony of orphans and of foundlings on his property, near Châlons, on the Saône. In studying our administration, he was taken with the agreeable manners of our agents, and the good feelings by which they were animated, and he asked me if it would be possible to dispense with the services of one of them, in order to second him in his recent enterprise: we felt it as a duty to comply with his request, and we went very recently ourselves to instal M. Leteur in his new functions of sub-director of the colony of Montagny. May this offshoot, detached as it were from the stem of Mettray, continue to take deep root, and to produce fruits of good quality.

In paying to M. Leteur the just tribute of praise which is his due, for his good and loyal services, we are naturally induced, gentlemen, to speak to you of those officers who are still left, and amongst whom our life is spent most agreeably, and, as we may say, in the bosom of our family.

The loss of M. de Courteilles, which time seems only to magnify by adding to the isolation which it has caused, has obliged us to enlarge the duties of the officers placed under our direction, in order to make up as much as possible for the loss of such an agreeable and effective collaboration.

Thus, M. Blanchard who bore the title of Secretary in chief, is now charged to direct the colony in my absence, and he supplies my place in such a manner as to leave me no subject of inquietude: we cannot say any thing which could be more complimentary to him: we have given him the title of 'Inspector.'

The extension which our colony has attained, and the augmentation of our available property, give to our financial status a new importance, and has obliged us to name M. Mahoudeau our chief business agent, as a just recompense for the capacity of which he has given such proofs, and which your Commission of Finance can so well appreciate.

Since we have spoken of the services attached to the regulation of our accounts, we feel bound to mention the valuable assistance which M. Mahoudeau has received on the part of M. Arnoux, the oldest of all our officers, now employed as cashier.

Finally, the post of Secretary becoming vacant in consequence of the nomination of M. Blanchard, we have naturally confided it to the care of M. Cordier who, in quality of Assistant Secretary, had given sufficient guarantees for the effective discharge of his new functions; he is entrusted besides, with instructing in vocal music, on the Wilhelm system. We cannot praise his zeal too highly in this respect.

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* M. Leteur is a relative of M. Leclerc, a profound economist, the first of our founders, and whose loss cannot be too deeply lamented. We feel happy, if by serving one of his relations, we can prove to the family of this good man, to what extent the memory of its head is endeared to us.

There are treasures of mind and heart, Gentlemen, which can never be replaced. Still I am happy to announce that I have found among all our officers a renewed increase of earnestness which cannot be too much commended; all have exerted themselves within the sphere of their own duties, to prove themselves worthy of him they have lost, by endeavouring to avert the failure of the work founded by their benefactor and their father. In consequence, we have not found ourselves obliged, since the death of M. Courteilles, to part with a single officer, although the discipline of Mettray puts us under the necessity of using considerable strictness.

We have spoken to you, Gentlemen, of the valuable co-operation which we have received from our officers.

But, in announcing these fortunate results, we are naturally induced to trace back our way from the effects to the causes, in other words, to remind you of that work which you founded even before the Colony, being fully aware that in France we find no deficiency of great ideas, but rather of men capable of shaping them to some salutary purpose. You have already mentioned our *Preparatory School*. We have shown ourselves more strict than ever in the admission of our pupils, so we are happy to say that the conduct of all is most exemplary. It is with pleasure that we see the traditions of Mettray confided to young minds of a truly christian spirit, who, when our own powers cannot answer the summons of our zeal, shall perpetuate the work of Mettray.*

Each pupil, during the hour for lessons, seconds the teacher as well as he can in the ungrateful task of instructing the younger children, the greater part of whom would not have been with us but for their dislike to school, which they had deserted in order to indulge freely in vagrancy.

You may easily comprehend how much their early education had been neglected, and who is there that does not know how rebellious the understanding becomes when the period of childhood has passed without its being cultivated. Still, the following summary, which exhibits the scale of instruction acquired by our colonists, is satisfactory, and bears witness to the zeal of our teacher, M. Quesnel.

The results under the head of primary instruction are not less satisfactory.

Out of 1679 colonists received at Mettray, from the foundation to 1st. January, 1854:—

1,065 arrived entirely illiterate.
348 were beginning to read.
183 knew how to read.
83 were able to read and write.

On 31st December, 1853, out of 571 colonists present—
419 could read.
102 were beginning to read.

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* Twenty of our élèves, on leaving the colony, have taken office under the National Education. With us they have learned, not only to instruct the minds of men, but, what is more difficult, to inspire them with the love of goodness.

14 were beginning to spell.
36 were altogether ignorant.
209 could read and write.
118 were writing large hand.
19 were writing on slates.

Almost all our liberated colonists, with very few exceptions, have left the house able to read, write and cipher.

Vocal music on Wilhelm's system is taught to all, and we have decided on giving an opportunity of learning instrumental music and plain chant, to those whose dispositions and good conduct justify us in granting this privilege by way of recompense.

Some notions of linear design are communicated to those boys who are learning the professions of cabinet makers, coach makers, or painters.

If the intellectual faculties of our children leave much to be desired, their physical conformation is also very far from attaining the ordinary developement. There are but few visitors who are not surprised at their small size, when questioning us as to their ages. These last, when first coming to us, are almost always of a sickly constitution, and it is among these new comers that illness prevails with greater intensity, which, of course, adds considerably to our hospital days. On the whole, however, we would be unreasonable to complain of the sanitary condition of our colonists; for, though we have increased in number, mortality has not been so prevalent as when we had a less numerous population. Out of 584 children, our present population, we count only three deaths within a year, that is, 1 out of 160. The mortality of the city of Tours has been three per cent during the same period.

Two physicians have charge of our establishment: these are MM. the Doctors Anglada and Allain-Dupré, physicians in chief to the hospital at Tours: it would be impossible to exhibit greater or more enlightened zeal.

It is gathered from the interesting report of these gentlemen, which we add to the exculpatory pieces in your archives, that if field-labors work miracles, so to say, on scrofulous children, it must yet be acknowledged that this kind of occupation engenders certain maladies, to which tradesmen employed at sedentary tasks are much less subject.

Our boys, whom we feel obliged to make work even in the severest weather, in order that they may be able at a future day to endure that life of labor to which they are destined, as possessing no other fortune than their arms, have to suffer frequently from atmospheric changes.

God forbid that this secondary consideration should induce us to contest the benefits we obtain by the aid of agriculture, as well in a moral as a physical sense. The products obtained from it this year are most satisfactory, and do the greatest honor to M. Minangoin, who has been so well seconded by the agents placed under his orders. However, we feel that we should not enter into any further explanation on this head. M. the Count de Gasparin, our worthy President, who has, from the beginning, assumed the chief management of

our agriculture, has consented on this, as on former years, to communicate to you the result of the observations which he has made on the spot, during those portions of his time which he has set apart for us.

This labored report, in setting forth the ever increasing progress of our husbandry, may be considered a document of the very highest importance to agriculturists: it testifies the interest which M. the Count of Gasparin never ceases to take in Mettray. There are names which serve as a eulogy to the institutions with which they are connected; and this explains the degree of confidence which Mettray has acquired.

On the other hand, your Committee of Finance, whose zealous labor must be considered unceasing, for we are ever making appeals to its lights, regulates with the strictest economy the expenses which it considers just to authorise. Notwithstanding the prudence which presides over all its decisions, it has not hesitated to consent to the acquisition of a large extent of land which surrounds the colony. We are often reproached for having established ourselves on ground which does not belong to us, and for having converted, to the advantage of strangers, the improvements effected by the skilful culture of our fields,—improvements by which we might have profited ourselves.

But it was first of all necessary to erect buildings indispensable to lodge our numerous population, and to make such arrangements in the different services as were calculated to endure.

Mettray now recommends itself more than ever to the beneficence of our fellow-citizens, for, day after day, this institution continues to offer increased guarantees. Recognised by the Council of State as an establishment of public utility, there is every assurance that all instances of liberality shown in its regard will have the good of the country for their destination. The legacies bequeathed in its favor, a summary of which will be found at the bottom of the list of founders, proves the confidence which the institution inspires. * Unhappily these legacies are inadequate to meet the obligations which we have to discharge; but let us repose our trust in that Providence, which has never ceased to bless our great work. †

Gentlemen, every year sees the number of agricultural colonies increase in France. It is an additional proof that when a question of general interest responds to the more urgent needs of our epoch, public opinion may perhaps discuss it at its debut; may even contest its utility; but, when it passes from the domain of ideas into that of

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* Sixty-eight Councillors-General (of departments) are already enrolled as founders of Mettray: everything makes us hope that we shall soon boast of the consent of the eighty-six departments, in other words, of France in its full extent.

† Mme. Lestrade has devoted a sum of 4,000 fr. to the erection of a building on the front of which will be read, *The House of M. Lestrade, Erected by his Widow.* This lady feels that the best way of honoring the memory of him whose loss she deplores, is to co-operate after his death with his generous intentions.

facts, and when it furnishes all that could be expected from it, we then see it reproduced in all directions, and exciting the most lively sympathies.

There are systems that never realize anything, because they imagine the impossible, Mettray has defined its limit, at the proper point between Utopia and real progress; this is the reason why Mettray has met with imitators.

Let us hope, gentlemen, that it shall meet with supporters: never had we more need of their assistance.

At the moment of the rise in the price of provisions, instead of seeking to diminish the number of your children, you have resolved to augment it: it is not when misery reigns everywhere that institutions of the nature of yours should close their gates. In so acting you have acquired new claims to the benevolence of government, and the country will make a return for the confidence you have reposed in it: I should rather say it will repay those succours which you formerly lent it. We demand, in reward for the results accomplished, those donations often granted to simple promises, to distant expectations.

Mettray has acquired an immense development: your patronage will extend from day to day over an increasing family. May the contributions of our benefactors increase in proportion to our sacrifices, to the obligations you have incurred!

We make our appeal to truly christian souls: we shall, doubtless, be heard.

They who give to the Poor lend to the Lord.

DEMETZ,

Honorary Councillor of the Imperial Court of Paris,
Member of the General Council of Seine and Oise.

It is hardly necessary that we should observe upon this paper; it is clear, convincing, and honest; what it states is fact, and its figures are those which can be proved by the anxiously kept records of the Colony; we shall, however, return to it.

None of our readers need be informed that juvenile crime adds annually a vast expense to the cost of our prisons, and adds equally to the expenses of prosecution. These points we have already, at considerable length, stated in a former number, and have compared that cost with the cost of Reformatory Schools. *

The question to be discussed now is, not the cost of the principle, but its efficacy. The efficacy, in our mind, is as

* See IRISH QUARTERLY REVIEW, VOL. IV. No 13. pp. 45 to 68. Art. "Our Juvenile Criminals:—The School-master or the Gaoler."

patent as the necessity. There is not a Judge, not a Recorder, not a Prison Inspector, not a Gaol Chaplain, not a Prison Governor, not a Newspaper Editor, not a County or City Magistrate of any understanding, who does not proclaim the necessity for these Schools, and entreat the Legislature to support them.

In the nineteenth *Report* of Inspectors of Prisons for Scotland, that for the year 1853, published in 1854, Mr. Kincaide expresses satisfaction that the public are beginning to see the necessity for Reformatory Schools, and recommends that Reformatory and Agricultural Schools should be established. In the same *Report*, Mr. Smith, the governor of Edinburgh Prison, states that the number of juveniles committed to his charge in 1852 was only 56, whilst, in 1853, the number was 117. With this fact in mind he added :—

"The Ragged Schools already in operation have done much good. They have doubtless been the means of saving hundreds of poor children from ruin, but they are not adequate to the work to be done, and do not keep pace with the causes which render them necessary: multitudes of wretched children are yet uncared for, and are growing up in ignorance, misery, and vice. Ragged Industrial Schools must be planted in every destitute locality, *and the attendance at them of every miserable and neglected child secured by law. Nothing less will meet the evil.* The remedy is at once humane, cheap, and safe: let us hope that, for the honor and best interests of the country, it may soon be applied to the evil in all its extent."*

Ireland is not exempt from the evils of Juvenile Delinquency, but the offenders are of that light order, those who form the class, in M. de Persigny's *Report* charged with "*Simples délits*" and "*faits peu graves*," and who are those making the chief of the "population croissant" with which he terrifies himself, and may possibly stultify the French Ministry. By a table, Number Twelve, in the Report of the Inspectors General of Prisons in Ireland, in 1853, we find the classification of offences, with the numbers of offenders, not exceeding sixteen years of age, given as follows; and, combined with information contained in the *Report* on National Prison, and National Workhouse Schools, which we shall hereafter insert, the table is of great importance :—

* See the "Report" p. 28.

Offences Classified.	10 years and under.		16 years and above 10.		Total Males.	Total Females
	M.	F.	M.	F.		
Felons convicted,	9	2	582	181	591	183
Misdemeanants convicted,	17	12	804	379	821	391
Felons committed for trial at assizes and quarter sessions,	5	3	491	207	496	210
Misdemeanants committed for trial at assizes and quarter sessions,	1	1	305	90	306	91
Summary convictions,	161	41	2,826	621	2,987	662
Vagrants,	757	532	2,700	1,250	3,457	1,782
Workhouse offenders,	56	14	866	75	922	89
Offenders on leaving workhouse,	7	—	292	51	299	51
Twice imprisoned,	51	46	622	259	673	305
Three times imprisoned,	28	28	294	116	322	144
Four times imprisoned,	4	16	175	81	179	97
Five times imprisoned and upwards,	4	10	289	139	293	149
Total,	1,000	705	10,346	3,449	11,346	4,264
Gross Total of Males and Females,	—	—	—	—	15,600 *	

The next table shows the sentences of the total number of juveniles, whose ages did not exceed sixteen years, committed during the year, and we beg attention to it, and the last table, as the deductions to be drawn from them are of a very important character, in support of the views held by the friends of the Reformatory movement:—

Sentences.	10 Years and under.		16 Years and above 10.		Total.
	M.	F.	M.	F.	
Death,	—	—	—	—	—
For Life,	—	—	—	—	—
Above Fifteen Years,	—	—	—	—	—
Fifteen Years and above Ten,	—	—	8	—	—
Ten and above Seven,	—	—	28	2	—
Seven Years,	—	—	61	7	—
Two Years and upwards	—	—	14	—	—
Eighteen Months,	—	—	16	1	—
Twelve Months,	—	1	118	8	—
Total,	—	1	245	18	264
Nine Months,	—	—	60	17	—
Six Months,	—	—	287	79	—
Three Months,	10	2	524	171	—
Two Months,	18	2	585	124	—
One Month,	288	149	2,126	480	—
Fourteen Days,	357	294	2,136	1,037	—
Seven Days,	239	125	1,130	396	—
Forty-eight Hours,	46	43	262	165	—
Twenty-four Hours,	16	19	194	54	—
Unlimited,	57	28	322	132	—
Other periods,	1	—	85	11	—
Total,	1,032	655	7,611	2,676	11,974
Gross Total.	1,032	656	7,856	2,694	12,238†

* See Report p. 15. † See "Report" p. 16.

These offences are precisely of that class, the age is precisely the age most suited for the Reformatory Schools. The absence of PARENTAL RESPONSIBILITY is not so evident in this country as in England, but the necessity for the Reformatory School is fully as plain and unquestionable, if we would secure Reformation and prevent recommittal. This fact is proved by the succeeding table, which shows that of the 12,238 juveniles sentenced, as shown in the last table, during the year 1853, about 5,225 were without due parental care, nearly 2,000 being orphans; but, as the Inspectors-General remark,—"when the nature of the offence is considered, we have reason to hope that watchful and constant supervision over those, who at so tender an age are *now* exposed to the unchecked promptings of ignorance and want, would largely counteract this large and growing difficulty; for it appears that 264 only of those sentenced have incurred the *higher penalties*; while under the terms of imprisonment ranging from seven days to one month, inclusive, 8,757, being considerably more than three-fourths of the whole, have been punished in our gaols, UNPROVIDED, AS THEY ARE, WITH MEANS OF COERCION, EDUCATION, AND REFORMATION, APPLICABLE TO THE PECULIAR CONDITION OF SUCH JUVENILES *

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* See "Report," pp. 15, 16. If, however, by this passage, which *we* have placed in small capitals, it is meant that the Government should take the whole management of the Schools into its own care, we must object, emphatically, to the proposal, as one calculated to ruin the whole system. We shall hereafter show what the voluntary system of Reformation, unaided by Governmental support has accomplished, but we now introduce a passage from the letter of Mr. Frederick Hill, addressed to the Secretary of the Birmingham Conference of 1853, as we believe it be a most admirable statement of the points for which the friends of the movement should labor. Mr. Hill writes:—

"I earnestly hope that each of the chief plans now before the country for the reformation and proper training of children, who have either actually fallen into crime, or are in circumstances likely to lead them into it, will be put to the test of experience before any plan is chosen for general adoption; and that we shall see in operation at the same time, and in direct comparison with each other—1st, Juvenile Reformatory Schools, under the direction of persons voluntarily associated for the purpose, and who receive State support in the form of payment for each inmate sent to them by official authority; and 2ndly, Government Juvenile Prisons like that at Parkhurst, with Industrial Schools in connection with Workhouses; some of these prisons and schools under official management only, and some under official management aided by the voluntary exertions of persons able and willing to afford assistance; such assistance as I used to witness with great pleasure in several of the prisons formerly under my superintendence.

This is important evidence proceeding from a government officer, and proves that if the legislature is apathetic, the apathy cannot arise from ignorance of facts, and wants, and of feelings. The following table shows the condition of the juveniles as to parentage:—

—	10 Years and under.		16 Years and above 10.		Total.
	M.	F.	M.	F.	
Without Parents,	89	32	1,455	333	1,909
Abandoned by Parents,	37	14	324	86	461
Absconded from Parents,	5	1	316	103	425
Without Father,	107	67	808	292	1,274
Without Mother,	38	27	576	152	793
Step-children,	33	22	131	64	250
Illegitimate,	15	5	72	21	113
Total,	—	—	—	—	5,125*

That the reader may understand the position of Dublin with regard to juvenile criminality, we give the following table, extracted from the returns of the Dublin Metropolitan Police, for the year 1853. The table shows the numbers of those under 15 years of age, and the sexes, committed, summarily convicted, or discharged by the Magistrates of the city for the five years ending 1853.

The success of several of the Reformatory Schools in America under an arrangement similar to what I have mentioned, and the success of the Juvenile Prison at Mettray, of the farm at Reigate, belonging to the Philanthropic Society, (so far at least as there has been time to judge,) and the great success of the Asylum for Boys, (chiefly delinquents,) that existed at Hackney Wick until the death of Captain Brenton, its excellent founder, afford strong evidence in favour of the voluntary principle of action; while the superiority of Parkhurst over the juvenile department of most other prisons, and the good effects of the Industrial Workhouse School, near Bridgnorth, and of several other similar schools, speak very favourably for certain principles of official direction. Perhaps it may appear that a combination of the two plans is better than either, or, at any rate, that if the voluntary principle is to be chiefly acted on, Government inspection should be superadded, as indeed is proposed by most of the friends of the voluntary principle."—See "Report" of the Conference of 1853, p. 19.

* See "Report" p. 16.

Years	Committed for Trial.				Summarily Convicted.				Discharged by Magistrates.				Total.		Gross Total Males and Females.
	Under 10 Years of Age.		10 Years and under 15		Under 10 Years of Age.		10 Years and under 15.		Under 10 Years of Age.		10 Years and under 15.				
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	
1849,	—	1	55	12	371	438	1,745	549	92	78	722	163	2,985	1,242	4,227
1850,	—	—	48	10	640	588	2,356	727	157	23	749	199	3,950	1,547	5,497
1851,	—	—	53	11	743	662	2,891	1,133	210	138	724	225	4,621	2,189	6,810
1852,	—	—	36	9	724	955	1,957	1,302	155	102	729	283	3,600	2,601	6,201
1853,	2	2	56	18	479	466	1,865	746	103	67	646	185	3,151	1,484	4,635
Total	2	3	247	61	2,957	3,129	10,814	4,457	717	408	3,570	1,005	18,307	9,063	27,370

In the Report from the County Antrim Gaol, one of the best managed in Ireland, and in which the Separate System is in part carried out, we find the following observations made by Mr. Corry Connellan, who writes—"the Legislature having lately directed particular attention to the condition of juvenile criminals, it is to be hoped that the Report of the Select Committee will be followed up by special enactments, as the schedule which records their ages and punishments shows forcibly the necessity of public interposition." The schedule here referred to is the following; it gives the number in custody on the 21st of September, 1853:—

Classification.	10 Years and under.		16 Years and above 10.		20 Years and above 16.		Upwards of 20.	
	M.	F.	M.	F.	M.	F.	M.	F.
10 years and above 7,	—	—	—	—	—	—	—	1
7 years,	—	—	—	—	—	1	—	1
2 years,	—	—	—	—	—	—	2	—
12 months,	—	—	1	—	9	—	3	5
9 months,	—	—	—	1	6	4	9	2
6 months,	—	—	9	1	17	3	37	9
3 months,	—	—	12	5	5	1	7	2
2 months,	—	—	7	3	7	1	15	5
1 month,	1	—	3	—	7	1	12	4
14 days,	—	—	—	—	2	1	7	7
7 days,	—	—	—	—	—	—	3	6
48 hours,	—	—	—	—	—	—	1	—
24 hours,	—	—	—	—	—	—	1	—
For trial,	—	—	6	1	6	2	9	19
Unlimited,	—	—	—	—	1	—	17	5
Total,	1	—	38	11	60	14	123	66

Of these Irish evidences it is unnecessary we should now write further, but we shall again refer to them.

English voluntaryism has not been idle. In the case of these Schools, as in all others, the national character, in its iron unflinching, duty-seeking spirit, has achieved a little, which, with our institutions, is greater than the much of countries in which the police is more powerful than the people. Miss Carpenter, in her own wise, thoughtful, zealous way, tells us of the difficulties which must be encountered in securing the confidence of the young criminals, yet she, and many others have succeeded in reforming these untaught, young "city Arabs," and "Home Heathens," even though they possessed no legal mode of compelling attendance at the Schools—loving, Christian devotion, being the only means employed, and these, when employed as Miss Carpenter teaches us, are more powerful restraints than the thickest walls, and most closely sentineled prison in the universe.

In Miss Carpenter's experiences there are no beautiful touches of bad boys becoming suddenly good—she has known, God bless her for it, but dirty little children, with nothing whatever of the cherub about them—they had been "dragged up" not reared; her experiences are against that sentiment of Chamisso's, very popular with some people, which tells us, "Das Noth lehrt beten"—want teaches prayer—not a bit of it; it teaches nothing but roguery, cursing, and vice, to the class of whom we write, and for whose salvation, in soul and body, the Legislature must, as far as men can, make provision.

Miss Carpenter is not a *Lady Bountiful*, all physic, philanthropy, blankets, and moral pictorial pocket handkerchiefs. There was work to be done, she knew, in Bristol and its neighbourhood, and with the assistance of a friend, Mr. Russell Scott, she established a Preventive and Reformatory School for boys and girls at Kingswood, near Bristol, in the month of September, 1852. In January 1854, the numbers in the School amounted to twenty-nine. The boys were taught tailoring and shoe-making, and were trained in gardening: the girls were engaged in washing, mangling, and general household work, for the benefit of the establishment. The children could not, after a year's residence, so great was their improvement, be readily recognized. They are orderly; have lost all habits of pilfering, strongest at first in the girls, who can now be employed in household offices, involving temptations which

they could not at first resist; and the boys can be sent on errands to the village; none show a disposition to pass the boundaries without permission.

A School was established in Birmingham, in 1852, by Mr. Joseph Sturge, who engaged, as master, Mr. Ellis, well known as the reformer of many youths in London: through the exertions of Mr Adderley, M.P., this Institution is now flourishing under the care of Mr. Ellis, at Saltley, two miles from Birmingham. There are about twenty-seven boys in the School—which is capable of containing thirty; five acres of land, now being brought under cultivation, are attached to the establishment; the boys are also taught shoemaking. Mr Ellis, knowing his business perfectly, adopts the plan found by M. Wichern to work so well at the Rauhe Haus—being one of the pupils in all respects—using the same food, working at the same work, sleeping in the same room; and he endeavours, upon the plan of Mettray, to make the system one of self government. Another mode adopted by Mr. Ellis, is half founded upon that of M. Demetz, and half upon that pursued, for the ordinary school boy, by the late Dr. Arnold, at Rugby—"The boy, on being taken from the streets or prison, is not forced at once to outward conformity with any rigid discipline," but is allowed "perfect liberty of action." From the number of *The Birmingham Journal* for Saturday, July 15, 1854, we take the following account of this excellent institution—The Saltley Reformatory School:—

"The first anniversary of the opening of this School was celebrated on Thursday last, by the assembling of a few of its friends to witness an examination of the boys. Previous to this taking place, a meeting of the General Committee was held, at which the Committee of Visiters presented a report as to the progress which the institution has made since the annual meeting in January last. From this document it appeared that Mr. Collins, one of the pupil teachers at the Diocesan Training College, had undertaken the duties of schoolmaster to the inmates, at the rate of £10 per annum, devoting two hours on each week evening for that purpose, and the Committee were satisfied with his attention and the progress made by the boys. In constructing a yard for live stock the Committee found it necessary to have a proper boundary fence, and while considering the plans they found that the boys were subject to great injury from molestation by persons of bad character, who were in the habit of coming to the neighbourhood of the institution for purposes of annoyance. The Committee therefore decided upon the erection of a strong wall, to serve the double purpose of protection to the premises and shelter for the stock. Within the yard thus formed pig-styes, coal-shed,

and tool-house have been built, and a play-ground has been formed. The Committee had to acknowledge acceptable gifts of a swing for the play-ground from Lord Lyttelton, and of six valuable pigs from the Mayor of Birmingham. The Committee had completed the erection of the addition to the main building for workshops, and dormitory over, referred to in the last report. As an encouragement to the boys, a quantity of land had been appropriated to each of them for garden ground, with the intention of their cultivating produce, which may be purchased by the Committee for the use of the house. The Committee have engaged Mr. Chittock, as master tailor, at a salary of £30 per annum, with board and lodging. It was highly desirable that regulations should also be made in reference to the occasions on which boys might be absent from the institution, and the length of such absences, and for determining the periods at which they might receive visits from their friends. No boy should leave the premises without the express sanction of Mr. Ellis, of which he should keep a record for the information of the Committee, and no visiters should enter the premises except under the same regulation. There are now twenty-five boys in the School. Several changes have taken place, of which proper registers are open to the inspection of the Committee. There are six boys who are anxious to go to sea, and situations must be sought for others. The earnest attention of the general Committee was directed to the subject of the disposal of the youths when prepared to leave the institution. In conclusion, the Sub-Committee invited the renewed exertions of the friends of the institution, that its funds may be increased by additional donations and subscriptions to a sufficient extent to secure its efficient working, a large sum having been expended in the erection of the new buildings.

We believe that the Committee approved of the recommendation as to placing a greater restriction on the liberty of the boys than had hitherto been the case; but in anouncing this to them Mr. Adderley said that the arrangement was one, the details of which were to be left to the boys themselves, assisted by the advice of Mr. Ellis, the master. He reminded them that the restrictions proposed were only what the sons of all the gentlemen then present had to submit to, and appealed to them for their assistance in carrying out the arrangement; 'for you know,' said Mr. Adderley, 'if any complaint reaches the Secretary of State that this institution is not managed as it ought to be, it may do much to damage similar schools in other parts of the country.'

The examination did not assume a very formal character. A reading lesson upon the geography of Asia led to a variety of interesting questions. Siberia suggested Russia, what its Emperor was about, how it was that the English and French were helping the Turks 'to lick the Rooshians,' &c. Of course, the boys were not quite *au courant* with the positions of the various armies, but their ready answers to the questions showed that even in their out-of-the-way habitation much interest was felt in the subject. The Scriptural interrogatories were answered very satisfactorily, although on a show of hands it appeared that only ten of the twenty-five lads had ever

attended a Sunday School. Several of them evinced a very high degree of intelligence, and the whole examination was a very creditable one, and highly pleasing in its character. Mr. Adderley presented half-a-sovereign to the lad who was considered by Mr. Ellis to have evinced most anxiety to benefit by the instruction afforded in the institution.

The grounds were in excellent cultivation, being covered with most luxuriant crops of wheat, beans, potatoes, and garden stuffs of every description. Here and there was to be seen the mustard-and-cress autograph of the chief benefactor of the institution, Mr. Adderley, M.P.—a graceful tribute on the part of those who, but for his munificence, might have remained the Ishmaelitish wanderers of the dusty streets of Birmingham.

Besides Mr. Adderley, there were also present in the course of the proceedings the Hon. and Rev. G. M. Yorke, Major Stewart, Mr. Joseph Sturge, Mr. William Morgan, Alderman Ratcliff, Mr. C. Ratcliff, Councillor Manton, Mr. James Corder, the Rev. Mr. Williams, and Mr. Kenworthy."

In March, 1852, Mr. George Bengough and Mr. T. Barwick Baker, two Magistrates for Gloucestershire, opened a Reformatory School for boys, in a cottage with a few acres of land attached, on Mr. Baker's estate at Hardwicke, near Gloucester, under the title of "The Children's Friend School;" Mr. Bengough, devoting himself to the personal superintendence and training of the friendless and outcast inmates of the School, lived for many months under the same roof with them, and gave many hours daily to their religious and moral instruction. At a comparatively small cost the School has become fairly established. Beginning with three boys, its managers have gradually increased the number of inmates to sixteen, of whom Mr. Baker writes as follows:—"Five of these boys, we believe, we could safely recommend for service; five have much improved; the other six have not been with us long enough to show material improvement, but a great point has been gained from the elder boys having acquired a readiness to assist instead of opposing us, and a better tone of feeling which they impart to the new comers." The example set by the promoters of the Hardwicke School shows how easily and simply Reformatory agency can be brought to bear upon its objects, and how effective and successful that agency will prove when employing, as its instruments, religious influence and industrial occupation. Mr. Baker states:—"We have now a cottage for our bailiff, two rooms for our schoolmaster, and school-room and bed-room for twenty boys. We have a carpenter's shop, pigsties for sixteen pigs, stalls for three cows, and we are com-

mencing some more pigsties and a barn. The whole cost of the buildings has been about £250. For the first year we could only undertake the cultivation of one acre; last winter we ventured upon six acres. Our land—stiff blue clay—was hard for small light boys to dig; but our six acres were well worked, and our crops testify to the effects of spade husbandry. We have now taken ten acres in hand. We hope to increase considerably next year."

Mr. Sturge has founded a separate School on his estate at Stoke Prior, in Worcestershire; this may be regarded as an offshoot from Mr. Ellis's establishment, some of the boys trained in the Ryland Road being taken from thence to be the nucleus of it. Mr. Sturge's School is of a wholly agricultural character.

The exertions of Captain W. O'Brien, and other gentlemen, have lately founded a Reformatory School at Newcastle-on-Tyne. The School was established to meet the increasing amount of juvenile crime in Newcastle and the neighbouring towns, of which the Committee of the Institution found themselves compelled by their inquiries to write in the following terms:—"During the last thirteen years, juvenile crime in Newcastle has not only deepened in intensity, but has doubled in amount. The existing generation of young thieves are in the degree of one-half more systematically criminal than the preceding one. The process of demoralisation is going on more rapidly every succeeding year." The School was opened in October, 1853. There are now twelve boys in it. This number will be gradually enlarged to forty. The occupations of the boys are at present chiefly of an in-door character—carpentry, sack-making, clog-making, &c. A piece of land has, however, been secured adjoining the house, and it is intended to make agriculture and gardening the principal employment of the inmates. The behaviour of the boys gives a very favourable promise of success. As at Kingswood, Hardwicke, and Red Hill, difficulties had to be overcome at first, especially as regards the retaining the boys in the School; but these have gradually lessened. The Committee, however, express a strong opinion that some legal power of detention is absolutely required, to protect the boys against their own hasty impulses, and to allow the Reformatory action of the School a fair trial. In this view Miss Carpenter, and all who are practically acquainted with the subject, concur.

Among the Reformatory efforts which, though small, have been remarkable for their success, the Ipswich Dormitory deserves to be particularised. It was opened as a Refuge for Juvenile Offenders of both sexes, nearly three years ago. It is carried on in two small cottages, situated about a mile from Ipswich, with an acre of land attached to them. Another acre, at a little distance, is also cultivated by the inmates. The School is managed by the master, Mr. Newman, and his wife. Carpentry and shoe-making are taught, in addition to agricultural labor. The principle that the boys should govern themselves is acted on to a very considerable extent, a weekly meeting being held, in which the rules of the little establishment are considered, and all infractions of them inquired into. The feeling subsisting between the children and Mr. Newman and his wife is of thoroughly parental character. His title among them is "Father," and her's "Mother." On two evenings in the week the boys go with Mr. Newman to the Ragged and Industrial School in Ipswich, to act as monitors. On Sunday evening many poor children from the immediate neighbourhood of the Dormitory assemble for instruction, and are taught by the inmates. Mr. Power, the Recorder of Ipswich, by whose zeal and interest in its progress the School has been mainly carried on, states that the present number of inmates might be doubled without increasing the cost of management.

A Reformatory School has lately been established in Norfolk by the exertions of two Magistrates, Mr. Wright and Mr. Kett, which promises equally satisfactory results.

The Durham County Refuge was able to report at the end of 1853, that in five years its funds had assisted 804 prisoners, of all ages and both sexes, to employment, of whom only fifty-seven are known to have turned out badly, and but twenty-six have been recommitted to the Durham Gaol. The objects of this most useful Reformatory Charity are assisted, the females mostly to service, the males (especially the juvenile portion of them) to sea. The young women are in the first instance boarded and cared for in the family of one of the gaol schoolmasters, and thence recommended to a place. The young men and boys wishing to go to sea, have a note given them by the Chaplain, the Rev. G. H. Hamilton, addressed to a shipping agent in a town eleven miles distant. If they prove their sincerity by walking that distance

and applying for employment to the agent, they are received into the family of the latter, boarded, lodged, and supplied with the necessary clothing, and introduced to a captain or master mariner willing to employ them. There is one point in the practice of the Magistrates of Durham which is peculiarly worthy of mention: on the trial and conviction of any gang of offenders, care is taken to so adjust their sentences that each member of the gang is discharged on a different day, and the chances of his being separated from his criminal accociates materially increased. Very young offenders are recommended to a Reformatory School, where they can be cared for and protected till an opportunity for employment offers. It may be added that the system pursued with boys in the Durham County Prison presents a very favorable example of what can be done to make the imprisonment and punishment of juvenile offenders more reformatory. Mr. Hamilton (the Chaplain,) states :—"The Boys' House of Correction attached to the Durham County Prison is very peculiar. It is separated from the men's department, so that a boy sent to this prison never sees a male adult prisoner, nor does he know anything of the men's prison. His instinctive dread of the gaol is not broken down. In the Boys' House of Correction two hours are allowed on week days, and one on Sundays, for School. The boys work for six hours a day in a field adjoining the prison, under the superintendence of a Warder, who is a gardener. The rest of the time is passed in separation, each boy having a distinct cell." This is very much the system pursued at the Prison of Fontrevault, in France.

Major Mair, and the gentlemen deputed with him to represent the Edinburgh United Industrial Schools, made the following statement at the Conference held in Birmingham in December 1853. "About seven years ago the feeling became painfully general in Scotland that some decisive steps must be taken to avert the evils which destitution, and its unfailing attendant, youthful vagrancy, were creating. The result was the formation of what are called 'Ragged Schools,' of which this is one, though called by a different name, 'The United Industrial School.' There is in this establishment a peculiarity in one essential point. The children enjoy perfect religious toleration, and it is to this principle the managers believe they chiefly owe their success —a confidence being established among the various sects

which prevents the fear of the School being made the cover for underhand proselytism. Presbyterian, Episcopalian, and Roman Catholic, are free to come to the School; their religious feelings are respected; they are educated in the more general branches of secular knowledge, in handicrafts of almost every description, so as to make them useful members of society in the colonies or at home. There are Protestant and Roman Catholic teachers in the School, and many feared that disputes would arise between those of different faiths. Such, however, has not been the case: harmony has prevailed amongst them as well as the children. During the six years that the School has been established only one instance has been known to occur of the children taunting each other on account of their faith. One hour daily is appointed for religious instruction; for that one hour the Roman Catholic and Protestant children separate, and receive their religious instruction in separate class rooms. All other occupations are pursued together." During the first year, it is added, the costs of the industrial training pressed very heavily on the funds, but the working expenses have decreased, and the skilled labor of the children has become remunerative; so that the Committee expect to report this year that £400 worth of work has been done at a cost of only £14 to the Institution.

The House of Occupation attached to Bridewell Hospital, London, shows a total, of 223 inmates, (boys and girls). 67 boys were discharged during the year 1853. Of these, 23 entered the navy or merchant service. 28 others were assisted to employment in England. 54 girls also left the Schools, 34 being provided with situations, 13 being placed with their friends. The employments in this establishment are, for the boys, tailoring, shoe-making, rope-making, and various incidental trades. For the girls, washing and needlework.

The Philanthropic Society received into their Farm School at Red Hill, Reigate, 165 youths and boys during the year 1853, making a total of 566 admissions since April, 1849. The number discharged in the year was 150, of whom 87 emigrated, 2 went to sea, 11 were apprenticed or placed in service, and 30 were provided with employment by the aid of their relatives, &c. The whole number discharged from April, 1849, to December, 1853, was 400, of whom above 220 emigrated. There were 166 boys in the Farm School on the

31st December, employed mainly in agriculture and gardening, but partly also in carpentering, smiths' work, brick-making, bricklaying, tailoring, shoe-making, &c. The institution is carried on upon the principle of family division, the boys being associated in separate households of about 50 each, as nearly as possible on an equality as to age. The discipline is at once strict and kind, every rule being steadily enforced, and all misconduct repressed with a proportionate and appropriate penalty; but the masters aim sedulously at gaining the confidence and liking of the boys, and every effort is made to prevent rather than to punish faults. The main-springs of the order and regulation of the School are religious influence and out-door occupation. The great object which is aimed at, and is realised to a remarkable degree, is the training the boys to habits of independent action, the enlisting their own wills and efforts in the business of their Reformation. As in other Schools, where walls and mere physical restraints have been discarded, many cases of desertion and transgression of the bounds of the farm occurred for the first year or two after the School was opened; but these have become more and more rare; serious faults seldom occur; and the spirit of industry and right conduct has gained more and more ascendancy. When it is considered that for the last two years the numbers in the School have averaged 140, and that at least half the lads have been of the age of fifteen years and upwards, the good order and discipline of the School, as testified to by the inhabitants of the neighbourhood at two Public Meetings lately held at Reigate, on the subject of Juvenile Delinquency, must be considered as affording a remarkable and most encouraging proof of the efficacy of Reformatory agency. The Society's Farm extends over 150 acres (freehold,) besides which they rent a farm adjoining, of 80 acres in extent. Their stock comprises about thirty cows, sixty pigs, five horses, and eighty sheep.

For the facts of this account of the English Reformatory Schools we are indebted to the Secretaries of the Birmingham Conference of 1853, and they but prove that the Voluntary School system requires only the stability which legislative support can give it to become, in all cases, as useful, and confessedly successful, as now, even though unaided and unrecognized, it is admitted, in particular instances, to be. The evidences of the usefulness of these Institutions has been

again and again acknowledged. The great truths and teachings of the whole question were displayed by Mr. Hill, by Miss Carpenter, and by Mr Thomson of Banchory, before the Committee on Criminal, and Destitute Juveniles, in 1852. In the *Report* of this Committee, is the most important, perhaps, which has been issued in this generation; the *Report* and evidence have coerced the government and the country into the full knowledge of the fact, that as Christians we should support the School because it is Reformatory, in preference to the gaol which is corrupting; as rate payers we should support the School, because, being Reformatory, it saves us from the cost of recommittal, of repeated prosecution, and finally, of penal convictions, all which are insured, with a terrible certainty, by our system which permits or commands the Judges and Magistrates to send juvenile criminals or destitute children to prison. But it may be objected, how can this great system be supported? How can we protect ourselves from the pressure of the growing, increasing population, like that which has fallen upon the industrious of France, rendering the Reformatory Schools but the Colleges of the Poor? We reply here, as we have already replied, that all these evils are to be overcome, or, at all events, brought under reasonable and satisfactory control, by the law enacting PARENTAL RESPONSIBILITY. We are not contending that poor parents should rear up their children as if they were the offspring of a higher class in the community—God knows the children of the poor are not reared, they are, as Charles Lamb said, "dragged up;" and if, from the foul and reeking slum of the city lane some poor human soul should be snatched and placed before the Magistrate to appal him by ignorance and squalor, we would not visit the crimes of that child upon the child, but upon the parents—and sad as it may be to tell, yet such is the truth—hundreds of children are yearly brought before the Magistrates and Judges who are in this wretched condition, because their parents, for their own vicious ends, teach, encourage, and desire that their children should continue in these sinful or criminal courses.

We have stated that children, both whose parents are living, are frequently arrested by the Police, and we have recorded this fact as it proves that natural affection is often unknown amongst this class; whilst every evil passion and habit is fostered for the advantage of a parent, vicious, and base,

yet fully able, if compelled by law, to support those children. That there are parents wicked enough to trade upon the crime of their children, nay, to compel them to steal, or starve, is well, and fully proved—as, likewise, that these parents, under the present state of our law can escape without punishment, and whilst fully able to support their children, these children, when in prison, become a burthen to the country. Miss Carpenter, when examined before the Committee on Criminal and Destitute Juveniles, in 1852, expressed her opinion, that although very few parents of criminal juveniles were of character sufficiently trusted to be able to furnish satisfactory recognizances for the good conduct of their offspring, yet she stated the parents would very frequently be able, if compelled, to pay towards the maintenance of their children. "Among the cases that I have known, there have been very few, where it has been absolute poverty which has been the cause of crime. I received a paper from the Rev. Mr. Clay, of Preston Gaol, last summer, giving me the particulars of all the juvenile criminals in the gaol, in the month of August, and I was perfectly startled to find that in all cases but one, the family was in the receipt of two or three, or even more pounds a week, in wages." *

Mr. G. A. A'Beckett, the Magistrate of the Southwark Police Court, was of opinion that parents should be held liable for the support of their children, who might be sent to prison—the more so, because in "many cases the delinquency of children is caused, not simply by the neglect of proper training, but by the actual instigation of the parents themselves." Mr. A'Beckett also stated, that a strong disposition prevails on the part of parents to get rid of their vicious children by having them placed in asylums or prisons—but when asked if they will pay for the maintenance of the child, they generally say they cannot afford to do so, although, from enquiry, it has been found, that they were fully competent, if compelled by law. He referred to a case in which a woman, having a son not twelve years old, had married a second time. This boy was brought before Mr. A'Beckett, charged by his own sister, his mother, and his father-in-law, with stealing some money, placed by them in an open desk in an open room, and

* See Miss Carpenter's evidence before the Committee on Criminal and Destitute Juveniles, Q. 978.

within the boy's reach, although they knew he had been a thief during the four preceding years. The three elder members of the family were most anxious that the boy should be sent to trial for stealing the money, and were extremely annoyed, when Mr. A'Beckett, deeming the evidence insufficient, refused to commit him. The father expressed a wish that the boy might be placed in an asylum, but when asked what he could pay for his support there, replied, nothing. Yet Mr. A'Beckett discovered that this man was a glove-maker, with constant employment for himself, his wife and daughter-in-law, who were well dressed; and in the window of their house, the Magistrate saw a notice, "Additional Hands Wanted." The father-in-law refused to admit the boy, on his return from the Police Office, and through Mr. A'Beckett's interposition he was received into the work-house.*

Mr. Recorder Hill, from his great experience in criminal courts, whether as Counsel or as Judge, has had most indisputable means of forming opinions most worthy of the deepest and closest attention. He stated to the Committee, that he would endeavour to make the parent accountable for the support of the child whilst in prison; and when asked if he considered that the parent should be compelled to support his children in the School when two, or more, had become criminal, he replied that he would so compel him; because, in all probability, the greater the number of children becoming vicious, the greater would be the neglect or misconduct of the parents; and if the matter were left to the discretion of the Magistrate he would not, of course, direct the parent to perform impossibilities, and yet the parent could be made to feel that if he forgot the duties of his state, society should not be burthened by the maintenance of those whom he is bound to guide, and teach, and foster. So strongly, indeed, is Mr. Hill impressed with the results to be realized by a law of PARENTAL RESPONSIBILITY, that when asked if he would expect a parent to pay £24 a year for three children in a Reformatory School, he made this emphatic declaration—"I know an instance at Bristol of a man who is earning most excellent wages as a skilled workman, a painter, by which he would be able to bear that expence, if you could bring a sufficient compulsion of law upon him to do it; but I

* See Mr. A'Beckett's evidence before the Committee, Q.Q. 2078, 2080, 2081.

will candidly confess that *that* would be the difficulty of the case; still I think it is so important to force from the parent all that you can obtain for the purpose of making him contribute to the subsistence of his child, that I, for my own part, would put a machinery in operation to effect this object, although it should absorb all the expence. *I mean to say that I would incur as much expense to get 2s. a week from a parent who had neglected his child, as would cost 2s. on the enforcement.*" *

By the Act passed last Session, which, although "fathered" by Lord Palmerston and Mr. Fitzroy, owes its introduction, and more than its introduction, to Mr. Adderley, parents are now compelled to contribute to the support of their criminal offspring, and thus one step is taken towards checking the evil of which Mr. Hill complained, when he stated to the Committee that the law, as it was in 1852, operated, in many cases, to enable a parent, when his child could not be made to contribute to the support of the family, to relieve himself from the maintenance of the child, by permitting, or inciting it to crime.†

The evidence of Mr. John Ball, now Member of Parliament, but who was, when examined, a Poor Law Commissioner for Ireland, was completely in support of PARENTAL RESPONSIBILITY. He considered that full power should be given to the Magistrates to compel the parent, by civil process, to support his child in prison, or in the School—and he was desirous that the sum necessary for this purpose should be recoverable by as summary a mode as that now employed in cases of desertion. Mr. Ball was, he stated, induced to advance these opinions in support of PARENTAL RESPONSIBILITY, and Reformatories, from his knowledge of the good effects of work-house schools, where the number of children was not so great as to prevent the master from devoting a portion of his time to each of his pupils. These, it is true, were but unfair examples of what the Reformatory School, properly understood, can accomplish; yet it was stated by Mr Ball and by Mr Senior, that of 65 boys sent from the Dangan Workhouse school, 31 had been traced, and of all these a satisfactory account had been obtained, and they were earning good wages. Of 300 who had been discharged from the Ballinrobe Workhouse, the greater number

* See Mr. Hill's evidence before the Committee, Q.Q., 538, 539, 540, 541, 542.

† See his evidence, Q., 543.

were fully employed, and only 30 had returned upon the Union. Of the boys who had been taught trades, 16 tailors, 6 bakers, and 1 shoemaker, readily obtained situations; whilst in the Union of Westport, a Union receiving assistance from the Rate in Aid, during the nine months from September 1851 to June 1852, 60 young women and 20 young men had been taken from the Workhouse and employed as servants. From these, and other facts, Mr. Ball was satisfied that Reformatory Schools were required, and would be found of the very highest advantage in Ireland. To carry out these advantages, he was of opinion that the magistrates should have power to commit criminal or neglected children to prison for more lengthened periods than the law allows, and that the imprisonment should be spent, not in the Gaol where it becomes injurious, but in the Reformatory where it is of the first and most proved advantage.* Mr Ball would also give the magistrates power to commit the child until he had arrived at a certain age, unless his parents could prove their ability and willingness to rear him in honest courses for the future; or until they could give guarantees and securities from third parties for this willingness and ability.

As we shall, however, afterwards find, these are the exceptional cases, as the Workhouse is, generally calculated, equally with the gaol, to render the boy, if innocent, depraved, and if vicious, only the more hardened. By the Reformatory School, supported in its working by the enactment of PARENTAL RESPONSIBILITY, can this amendment alone be secured. Without the latter ingredient half the benefit of the system would be jeopardized. As Mr Hill most truly said (when requested, by the Committee of 1852, to state if he considered PARENTAL RESPONSIBILITY, of first importance)—"I consider it highly advisable, I do not consider it essential, and if some competent authority should say to me, 'you shall have a Reformatory School, but I will not consent to this principle of charging the parents,' I would accept the Reformatory School, although I should think the system sadly mutilated for want of that limb."

To those who are aware of the great principles of the Reformatory Movement it may seem unnecessary to dwell upon this point of PARENTAL RESPONSIBILITY, but it appears, unfortunately, that in these Kingdoms the persons who understand the question are, however influential in position and intellect, very few in

* See Mr. Ball's evidence before the Committee, Q.Q., 3880, 3886, 89, 3897, 3898, 3904, 3906, 3907.

number. If further proof of this fact were necessary, we need only refer to Mr. Adderley's Bill introduced last June by Lord Palmerston and Mr. Fitzroy. The Birmingham Conferences of 1851 and 1853 had shown what the real merit of the principle was; Prize Essays and Judges' charges had given evidence of the estimation in which the principle was held; the *Report* and evidence of the Committee on Criminal and Destitute Juveniles of 1852 had, one might suppose, exhausted all the knowledge obtainable on the subject, yet Mr. Adderley's Bill was grudgingly passed, passed, let it be remembered, merely as an experiment.*

All the experience of the working of Mettray which, six years ago, Mr. Hill had recorded in his charges; all the facts connected with this Institution, which have from time to time been made public, were looked upon but as the chimeras of *Jellabys* in breeches, and the system was decried because it was new. This, however, is but that old form of opposition which has been so frequently tried, and tried with such success in these Kingdoms. The plan is, first to deny the accuracy of the facts upon which arguments are founded, and when these denials fail, then to ridicule the inferences drawn from the established facts. More than thirty years ago, Buxton, and Mrs. Fry, and Gurney, and Bennet were encountered in their efforts in Prison Reform by such opposition as this. They were asked, would they desire to provide Turkey carpets and turtle soup for the criminals. It was laid down broadly, that the most vulnerable part of a thief was his belly; and that during a long period of confinement the best means of softening his sympathies was by a course of water gruel and flour puddings; and because some wise relaxation of the old, iron rule of confinement, which rendered imprisonment a cruel, savage revenge of society upon the prisoner, rather than a firm avenging of the outraged dignity of the law was proposed, the prison reformers were asked, could satisfactory results be expected after months of jolly companions and veal-cutlets? could amendment be expected of the criminal who lived with fetters upon his feet, and fried pork in his stomach? The industrial employment which was then commenced in Preston Prison was decried, and it was argued, that in prisons intended to awe the multitude, and to be a terror to evil doers, there should be no education but religious education; no weavers' looms or carpenters' benches, but there should be great

* See this Bill, as passed, in Appendix III. at the end of this paper; and also a letter from Mr. Adderley, there printed, expressing his opinion of the imperfection of the measure.

solitude; coarse food; a dress of shame; hard, incessant, irksome, eternal labor; a planned, and regulated, and unrelenting exclusion of happiness and comfort. But despite this opposition the prisons were reformed; Reformatory Schools were started and supported; the great principle of Reformatory Education flourished at Stretton-on-Dunsmore and at the Philanthropic, and at length the Government recognised the benefits of the system for adults and juveniles by permitting its introduction under various forms, but always in a Penal phase, at Millbank, at Parkhurst, at Preston and at Reading. Now, however, a recognition is fully made, by the Act passed last Session, (even though passed as an experiment) for England and Wales, whilst to Scotland its provisions have been extended through the exertions of Mr. Dunlop and of the Lord Advocate.

The principle of this Act is, that where Schools have been already established the Secretary of State shall be at liberty, some formal conditions being fulfilled, to permit the School, by his order, to enjoy the benefits of the Act. It is contemplated that when any person under the age of 16 years shall be convicted of any offence before a Justice of the Peace, Judge, or Police Magistrate, it shall be lawful for these or any two Justices of the Peace before whom the offender shall be convicted, to direct him to be sent, at the expiration of his sentence, to any Reformatory School, to be there detained for a period stated in the Act. A very important provision is, that the Commissioners of the Treasury shall have power, upon the representation of one of the Principal Secretaries of State, to pay for the support of such child the entire sum necessary, or such portion as its parents shall not be in a position to contribute. The Act also provides that parents shall be bound to support their children in these Schools, and in the term parents, step-parents are included, and the provisions of the English Poor Law Acts are specified as pointing out the means by which these payments may be recovered. Children absconding from the School are to be sent to the Gaol or House of Correction of the county or riding where the School is situated, for the period specified in the Act.* Provision is also made for the establishment of new Schools,

* This analysis refers but to the English Bill; for an analysis of the Scotch Bill, See IRISH QUARTERLY REVIEW Vol. IV, No 14. Art. "Reformatory and Ragged Schools." p.p., 400, 405. See the Act, at length, in Appendix III., post.

These Acts of Parliament are but the legislative recognition of the principles advanced more than seven years ago by Mr. Recorder Hill, and, in part, accepted as their Report by the Society for the Amendment of the Law, and which Mr. Hill reiterated in his evidence before the Committee of 1852. The following passages from the Report, as published by Mr. Hill in 1847, contain his complete theory of the Principles of Punishment; and as they were not accepted by the Society, in their entirety, we here insert them, as being a most valuable contribution to the jurisprudential history of the Reformatory Movement. Mr. Hill writes:—

"With regard to the principles on which punishment ought to be awarded and conducted, the first question which arises must necessarily be, whether the principles of punishmeut on which the law is now administered, are in conflict with the principle of reformation?

If they are not, we feel that we need not enter upon any comparison as to which is entitled to priority.

Now the only other principle of punishment which finds any supporters at the present day, is that which inflicts pain by way of warning or example. And it must be granted, that if the suffering of the criminal is more effectual to the repression of crime when administered for example, than when endured as incidental to a process of reformation, a benefit to the guilty individual must not be obtained by the sacrifice of the interests of the community at large.

But having arrived at the conclusion, that pain incidentally endured by an offender in the course of reformation, is equally potent by way of example as when inflicted with example as its direct purpose, we think there is no such conflict of principles as calls for our entering into any controversy on the subject; and consequently we shall confine our observations to the advantages to be derived from a full and complete adoption of the reformatory system, including example among such advantages.

By a reformatory system we understand one in which all the pain endnred strictly arises from the means found necessary to effect a moral cure.

A prison thus regulated bccomes a hospital for the treatment of moral diseases.

The prisoner may be called a patient, while the various officers of the prison will gradually attain the position in his mind of persons exercising the healing art, and be no longer regarded as the agents of vindictive power. Hence they will cease to excite his hostility, and an alliance may be formed between him and them offering the most important aids towards his cure.

A steady adherence to such a system will produce a state of opinion, without side the prison-walls as well as within, that the good of the patient is the sole aim of every part of the treatment to which

he is subjected; and such being the impression on the public mind, the application of any amount of pain absolutely necessary to the object in view will not encounter the disapprobation of society.

But so long as pain is inflicted upon the individual not with reference to his own ultimate advantage, but on the ground that by his suffering others will be benefited, so long there will be a strong, perhaps a wholesome, jealousy abroad which will operate to keep down the amount of pain to some supposed equality between the particular offence for which he is imprisoned and its punishment.

This appears to us to be the secret of the numberless illusory sentences which are daily awarded in our courts.

When, however, gaols become considered as hospitals, and when, consequently, they and all persons connected with them are relieved from the degrading associations which have ever connected themselves with the mere inflictors of pain, any amount of suffering which is felt to be essential to the reformatory process will no more excite jealousy of the law, or dislike towards those who administer it, than is now felt towards a surgeon who amputates a limb or performs any other painful operation.

Nevertheless, it is obvious that the patient will have much to endure.

Criminals arrive in prison under the influence of habits which must instantly be set at nought. They must at once take leave of every indulgence, however intolerable inveterate use may have made the deprivation. No quarter is to be given to their prevailing vice, indolence. They are shut out from the society of their companions, and indeed from all except that from which, until the work of reformation has proceeded through several stages, they are not likely to derive much pleasure.

As their minds become informed they find retrospection upon their past courses a humiliating task.

They learn to feel their own weakness. They find that even when the desire to do right has been created their habits act as formidable enemies, and their failures convince them that the day of liberty is yet far distant.

That no sentient and reflecting being can be placed under circumstances like these without encountering deep and protracted suffering must be evident.

No doubt the damp and filthy dungeons of former ages inflicted much pain (and most useless pain) upon their inmates; but inasmuch as there was no further interference with the habits of the prisoners than what necessarily flowed from the means taken for preventing their escape, probably much less of suffering was endured by the depraved than that which must unavoidably fall upon them in the early stages of the reformatory process.

The economy of a prison soon becomes known to the class who are likely to be its inhabitants, and we believe that as far as example does operate, that afforded by the subjection of their comrades to a process of reformation which will never let go its hold upon them until the end be accomplished would be more potent for warning than any which has hitherto been held up before their eyes.

At present the criminal, when looking forward to detection and punishment, will often resolve to bear the evil with as much fortitude as his nature will allow, keeping his thoughts fixed on the period at which he will be restored to liberty with a full determination to recompense himself for the privations of the gaol by the indulgences which a time of freedom may have in store for him.

When, however, he shall learn that his term of imprisonment will not be fixed by the calendar, but will depend on his reformation; that he will be required to give proofs of industry and self-control to which he knows himself unequal at present, and feels can only be attained by a long course of painful discipline inimical to his habits and revolting to his prejudices, it is reasonable to suppose that his dread of imprisonment will be increased rather than diminished; and if so, the example offered to his notice will not be made less effective when pain shall have ceased to be the object of punishment, and be only administered incidentally as an unavoidable condition of amendment.

The foregoing observations have mainly had reference to the cases of hardened offenders, but a large proportion of the inmates of our prisons are not depraved in principle, and would gladly support themselves by honest industry if they could; but some have learnt no trade, and all are deficient more or less in the power of self-control. On such persons example is inoperative. Their desires are already in the right direction, but they are the victims of incapacity. Upon them pain directly inflicted is so much of suffering thrown away. Pain of itself can furnish only a motive to do right: it can neither teach the requisite skill by which the individual may provide for his wants, nor can it furnish him with the habits which are necessary to turn his acquirements to good account. For this class of prisoners the reformatory system appears to be the only one by which either themselves or society can be permanently benefited." *

These are the principles of Reformatory Punishment which are proved by the admirable working of the Seperate System of Imprisonment—they are the principles to which M. Demetz referred, when he wrote, in his *Report*, "there are but few natures really intractable, if we could only afford time and care to subdue them; as there are but few improductive soils, provided we spare no pain to render them fertile."

The policy of the Schools, as contemplated by the Act, is not one of painful punishment, it is one simply of Reformation. The child falls either from vicious association, and parental neglect, or *through* parental misguidance and incitement. In the first case the parent should be compelled, in accordance with his means, to support the child, because of his neglect; in the latter

* See "Draft Report On the Principles of Punishment, Presented to the Committee on Criminal Law appointed by the Amendment Society. in December, 1846." By Matthew Davenport Hill. London, 1847. This valuable paper is also printed in the Appendix to the Report of the Committee, on Criminal and Destitute Juveniles, 1852.

case he should be forced to maintain him, because the child's criminality springs from the parent's teaching. It is to this point the Rev. Mr. Turner adverted when referring, before the Committee on Criminal and Destitute Juveniles to the fact that parents felt no shame in permitting their children to enter the Red Hill School. They do not consider it a degradation, and if they can be relieved from supporting their vicious children they are satisfied.

Knowing these facts Mr. Turner may have considered himself justified in asserting before the Committee, and in stating, in his letters to *The Times*, that a certain amount of punishment should be inflicted upon the juvenile criminal in prison before being admitted to the School; yet nothing can be more opposed, in the great majority of cases, to the principle of Reformatory Schools than this proposition of Mr. Turner's. It is opposed to the very principle which Mr. Turner himself advocated, when, at the Birmingham Conference of 1853, he stated, that he had found Mettray to be a sort of miracle, where "a great number of juvenile prisoners had been gathered together, and kept together, by nothing more stringent, no bond more strong than the exercise of loving kindness." This plan Mr. Turner endeavoured to pursue at Red Hill. He had, in 1853, from 150 to 200 boys, varying in age from 11 to 19 years, bringing them up in families, giving them Bible teaching, endeavouring to engraft religious principles on their minds, and by a discipline appealing to their affection and their common sense, retaining them without constraint or the recollection of a prison. During four years and a half 458 boys were received at Redhill. Four hundred departed from it, and upwards of 200 of these emigrated to the colonies, whilst of those who remained at home most satisfactory accounts were received.

Yet with these facts before him, and even whilst referring to Saltley as evidencing "what can be done when love and duty are built upon," Mr. Turner now fears that our English Reformatory Schools may not be successful, and desires that the juvenile criminals should first pass through the ordeal of the prison before entering the School, (thus carrying out what a valued friend calls "the dose of pain principle") even though he proclaimed in the address, to which we have above referred,—"if you trust and appeal to that sense of kindness which is at the very bottom of our human nature, you will succeed in raising those emotions which shall accomplish in the

human heart more than the prison cell or the prison labour can ever effect, you will succeed in recalling to society many a one who shall prove a good citizen and an upright man."*

The discipline of the Reformatory School is not cruelty, it is not harshness, and yet in its effects it is deterring in the extreme. It should be taken as a punishment peculiar to the system, and suited to those who may be old in crime though young in years, suited to the "City Arab" or "the Home Heathen," for whom, as he has none to whom, in his moral ailments he can apply for aid, this School should be "A Moral Hospital,"—just as, having none to cherish him in the time of physical ailment, the Medical or Surgical Hospital is open for his bodily cure. To speak of the Reformatory School as being one of that class of Prisons to which we have already referred, in which prisoners were sneeringly stated to be confined, upon the Turkey Carpet and Turtle Soup principle, is a palpaple absurdity. Mettray, as we have shown, is Reformatory; the English Schools of which we have written are Reformatory; stern realities, self reliance and self denial, as being the first great principles of man's action and duty in life, next to, but under, that humble confidence in, and complete reliance upon the Almighty which distinguish the christian, are the inculcations, the never-forgotten teachings of all. Turn the question as we may, check the progress of the movement as we can, by the carpings of quibblers, by the opposition of rival systems, yet one great truth will still remain unchanged and incontrovertible, namely, that the Reformatory School system is the only one which can reform the juvenile criminal, complete and secure that reform in a manner more sure, and at a cost much less, than any ever yet contemplated; than any, the best managed and most carefully watched, Gaol has been capable of accomplishing. Bearing these facts in mind, remembering the objections which have been made to the Reformatory system by those who would commit the young criminal to the blighting atmosphere of the Gaol, and to its terrible contamination, our readers can well appreciate the observations addressed by Mr. Recorder Hill, in his *Charge*, to the Grand Jury of the Borough of Birmingham, at the Michaelmas Quarter Sessions, for the year 1848, when he said:—"Too many are still of opinion that kindness to offenders is cruelty to the innocent, by depriving punish-

* See "Report of the Proceeding of the Second Conference on the Subject of Juvenile Delinquency and Presentive and Reformatory Schools, Held at Birmingham, December 20, 1853." p. p. 87, 88.

ment of its terrors. Doubtless it may be so abused; kindness to the vices of criminals would be cruelty to both parties. But that benevolence which guides all sound Reformatory Discipline is the kindness of the surgeon, who shrinks not from inflicting any amount of pain essential to the cure, but who does not willingly go beyond that necessity. Providence has ordained that the change from evil to good is not to be wrought but at the price of suffering often recurring and long endured. And if the selection were left to the criminals themselves, experience justifies the assertion, that, whatever might be the choice of the young offender, few punishments, indeed, would not be preferred by the veteran in crime to passing through a full course of reformatory discipline."*

From all these facts and evidences now given to the reader, he is enabled to judge for himself upon the right of these Reformatory Schools to National support. We have placed before him, translated and in the original, the much canvassed *Report* of M. de Persigny; we have likewise inserted the admirable, and beautifully written *Report*, translated and in the original, of M. Demetz; we have enabled him, by a very considerable and wide scope of information gathered from many sources, to comprehend the bearings, in every aspect, of this most important question. That a great controversy has been raised upon the inferences to be drawn from the *Report* of M. de Persigny, we do not deny; and as it has brought prominently before the public, the opinions of Lord Brougham, of the Rev. Sydney Turner, and of Mr. Robert Hall, we rejoice; because, if the contest of bright minds with bright minds, be, as the friction of diamond with diamond but to bring forth the brilliancy of each,—so, when wise intellects, and true and learned, come into collision, wisdom, and truth, and learning are illustrated and confirmed. Lord Brougham says, that he believes Mettray to be the perfection of the system, and he records the statement after a careful inspection of the institution; his opinion is most valuable, because his vigorous years of buoyant manhood having being devoted to that question which has now been rendered, through his means, the study of all men who would become English statesmen—National Education—his matured

* See the Report of this excellent Charge published by Charles Knight, London, 1848—p. 16. See also his charge at the Michaelmas Sessions of 1850—51, the Recorder there admirably epitomized the whole history of the causes of failure in Juvenile Prison Reformation.

judgment must be all but conclusive on the question. Mr. Hall visited Mettray last autumn, a sceptic as to its results; what he thinks of it now the reader already knows. Mr. Turner visited Mettray, and in his speech at the Birmingham Conference of 1853, he said,—"I went and saw Mettray. My first feeling on seeing it was despondency. I thought to myself, 'how can any one equal this in England: there we have nothing that can be compared with this.'" But Mr. Turner tells us he tried to imitate Mettray, He did imitate it, and the results, measured by the facilities which he possessed, equalled, if they did not exceed, those of the French Colony. Yet, with the success which has attended his efforts, (and in his efforts none can be more earnestly devoted, and more completely self-sacrificing,) Mr. Turner is the only man, of all who are now competent to speak upon Mettray, who doubts or fears for the success of the Reformatory Schools of England. Why he doubts we know not. The *Report* of M. Demetz gives no reason for fear or doubt; neither, we contend, does the *Report* of M. de Persigny. In the latter we read that in the year 1852, of 305 young détenus of the Seine, only 16 relapsed; and from 1842 to 1850, of the liberated children of seven Principal establishments, the relapses varied from 10 to 11 per hundred; if this be compared with the ration given for adults, "We should not," the minister adds, "regret the sacrifices which the state has imposed on itself for the moral regeneration of the youthful population." These words contain the entire spirit of the *Report* of M. de Persigny; they are full of hope, and should urge every friend of the Reformatory movement in England to labor zealously, and with increased energy, for the success of the cause. We believe that with the best possible intentions, and at a most critical moment, Mr. Turner permitted the statements of mis-informed parties to warp his judgment in the consideration of the ministerial *Report;* but we presume that now, with the *Report* of M. Demetz before him, he will not join with those who may argue unfairly upon the former document, or who may, by decrying the benefit of the system, aid in conducing to the destruction, for want of funds, of institutions esteemed and valued as the School of Stretton-on-Dunsmore, closed last March through lack of support, after over forty years of patent and admitted usefulness.

The closure of an institution such as this is of incalculable injury; it effects not alone the prison returns of districts where it is situated, but it at the same time shakes the public

confidence in the stability and wisdom of the system. Either of these results is at present most disastrous. The Census returns show the ignorance of that class whence juvenile offenders come, the Reports of the Prison Inspectors and Gaol Chaplains prove that, as usual, ignorance and vice are as cause and effect. Thus, for example, our esteemed friend, the Rev. Mr. Field, the Chaplain of Reading Prison, in his *Report* for the year 1853, writes:—

"The statistics of the last year show that the proportion of criminals who had received little if any scholastic instruction, and who had scarcely any acquaintance with religious truths, was not less than in preceding years. A circumstance most important to notice, as evincing more plainly than ever, the frequent connection between ignorance and crime. By the charitable efforts which have been made throughout this country, education has been greatly extended and the number of those so entirely uninstructed as not to be able to read, very much diminished; and yet we find that one third of our offenders come from that reduced number."

The Rev. Mr. Geare, the Chaplain of Abingdon Gaol, writes:—

"Under the head of education, the result of enquiries made shows the same lamentable deficiency, especially in the agricultural classes, as heretofore. Of the total number committed, nearly two-thirds were either utterly ignorant on their admission, or could read so imperfectly as to convey no distinct meaning of the words even to their own minds, the numbers being 189 out of 303. Among the remaining third —the better educated class—not more than four farm labourers could be included."*

From this it may be gathered that Reformatory Schools are wanted upon every account, and from this too it may be learned, that exciting doubt in the public mind is an offence against the good sense, against the good feeling and well being of the community. It is right that the system should be examined, thoroughly and throughly, because, as Mr. Thomson of Banchory has said, "it is altogether a new kind of Legislation, and breaks down the barriers of the old criminal system, as far as juveniles are concerned." But, having once examined the system; having enquired closely, carefully, and

* See "The Berkshire Chronicle," October 22nd, 1853, for the above quoted Reports.

accurately into its working, it is neither right, nor fair, nor philosophic to question its probable success in England, (where it *has been* eminently successful,) because some mis-managed Schools in France have been unsatisfactory in their results. Why they have been unsatisfactory we have already explained; and have endeavoured to point out what we consider to be the certain remedy for the very few evils which some advocates of the system in England fancy they have discovered in the *Report* of M. de Persigny,—that remedy is PARENTAL RESPONSIBILITY. We cannot, in these Kingdoms, draft the criminal, in his 18th year, into the ranks of our army; we have no convents to which the young female offender can be confided; these adroit expedients, by which the Minister of the Interior hopes to check the pressure of numbers upon the Reformatory Schools of his country, are beyond our reach; but PARENTAL RESPONSIBILITY is open to us; the grand and noble English principles of philanthropy, and voluntary and active charity are ours, and the same public feeling which has enabled Miss Carpenter's, Mr. Sturge's, Mr. Nash's, Mr. Sheriff Watson's, and Mr. Thomson's, and the many other greater and lesser Schools of England and Scotland to exist, will, if just support be given in aid of the Government measure, render our Schools, we will not assert superior to, but certainly rivals of, Mettray.

We will not here enter upon the question of the comparative cost of Reformatory Schools and Prisons; we have already done so at very considerable length, and to most of our readers the repetition would be impertinent.* But if it were necessary to place in every county in England a Reformatory School, we would still contend that the Reformatory System was triumphant—that the School was cheaper, and more advantageous than the Gaol. The expense and return cannot be measured by pounds, shillings and pence. There is not a child who can enter our common prison, and leave it uncontaminated; there is not a male or female child criminal who leaves the prison for his home but bears with him that terrible, insatiable tendency to relapse, which with time hardens his nature, until he adds another to the great family of national malefactors whose *free* homes are the casual wards of the Workhouse or the low lodging of the tramp; whose *frequent* home is the Gaol, and who

* See IRISH QUARTERLY REVIEW, Vol. IV., No. 13, Art., Our Juvenile Criminals:—"The Schoolmaster or the Gaoler," p. 53. See also No. 14, Art. "Reformatory and Ragged Schools," p. 363.

form that dangerous, increasing population amongst whom, as Mr. Frederick Hill has stated, CRIME IS NOW HEREDITARY.

Time may roll on; great, and wise, and good men may devote themselves to the regulation of prison discipline; the gallows may have its victims, and penal labor may number its armies of convict slaves, and adult crime may be checked,—yet whilst the ragged urchin prowls through our streets and along our highways, a sinner by day, a sinner by night, a sinner always and ever,—untaught, uncared, knowing no God, no heaven, it may be, no hell save cold and hunger; whilst these things last, adult crime can never cease, for as the rank grass grows above the dead criminal's grave, another race of malefactors more depraved in heart, more cunning in deed, will rise around us, to the disgrace of our legislation and of our country. This subject is one which concerns the whole community; it is of great and undoubted national importance, and, as has been most truly and eloquently written of Reformatory School support—

"We know of no reason why a duty of such public interest should not be undertaken by the public, unless we are to yield to that miserable jealousy which would represent anything like public benevolence as a robbery from the common stock of the innocent for the reward of the guilty. We may, indeed, be told that we are proposing to do more for the young pickpocket than we do for the honest and industrious child of the village labourer, inasmuch as we propose to teach one a profitable craft, and leave the other plodding his weary way through the clods of the field. Unfortunately, the present plan costs quite as much as the most refined philanthropy could possibly do. We believe it is no exaggeration to say that every London pickpocket sent to Holloway Prison costs the pay of a curate,—of a gentleman who has had a University education, and whose office is the most dignified that man can aspire to. We are spending the revenue of a state in mere punishment, or rather revenge; for what is punishment but revenge, when it leaves our foe worse than it found him? It has been ascertained that individuals have cost the country several thousand pounds in their repeated prosecutions and punishments, and thousands of houseless wretches of all ages cannot wander about the streets without an amount of depredation that must tell seriously on the profits of trade and the cost of living. In fact, there is nothing so expensive as crime. It is the leak in the ship, which may seem a small matter, but spoils the whole cargo, compels delays, overtaxes

the strength of the crew, and throws everything out of course and trim."

These were the observations and sentiments of *The Times*, when on Thursday, December 22nd, 1853, it commented upon the proceedings of the Birmingham Conference; they are not its sentiments now—it has unfortunately misconceived the philosophy of the *Report* of M. de Persigny, and has, to a certain extent, advocated the doctrine that pain should be the antecedent and component of Reformatory Discipline. It is an error unworthy of this great journal; it shows either an ignorance, a deplorable ignorance, of the whole principle of the Reformatory Schools; or it is a proof that some who should be the guides of a people in progressive national improvement, are incapable of replying to that query of Mr. Turner's second letter to *The Times*, June 8th, 1854, in which he asks—"Is it not, because in spite of trials by jury and summary conviction, whippings, and imprisonments, the amount and intensity of juvenile crime have increased, that our Government and Legislature are now concurring with our philanthropists in devising some more effectual remedy; and 2ndly, what's the real object which society (for its own advantage) seeks in the young offender's treatment? Is it only the retribution of punishment for his misdoings, or the deterring others by his sufferings? Is it not, and looking to his age, his helplessness, his exposure, without defence or power of escape, to depraving influences—ought it not to be also his reformation? What else can secure the community against the mischiefs of his future influence and example? What is gained by the inflicting of a thousand whippings and sentences of imprisonment, if the subjects of these penalties come forth into the world (as now) only more hardened in vicious purposes and more capable for mischief? Reformations, like revolutions, are not made 'by rose water;' but, surely, it cannot be impossible to devise a course of treatment at once corrective for the past, and persuasive for the future, uniting, like the Divine dealings, righteousness and judgment with loving kindness and mercy; such a system as, while it punishes what is bad, and represses what is lawless, awakes and trains to action the better feelings and more useful impulses which are to be found more or less in every nature. The problem is to secure this for the scarcely responsible child, while we seek out and press upon the more guilty and fully responsible parent. At present, the parent may neglect, brutalise, and deprave his child, and make him a public nui-

sance with entire impunity. These things ought not so to be. Let us see what can be done in coercing and restraining the parents and step-parents, usually the real sources of the evil. When we have done what justice and the public interest require on this head, we shall be able with a clearer conscience and a more steady hand to deal with the young offender himself as he will then deserve that we should."

No more convincing proofs of the truth of these passages can be discovered, than those which appear in the very able, and valuable *General Report of the Results of Special Examination in* 1853, *of the National Schools in the Workhouses and in the Prisons throughout Ireland, by James W. Kavanagh, Esq., Head Inspector of National Schools.* Mr. Kavanagh states:—

"The increase in the number of juvenile criminals is an alarming fact, and one that cannot fail to arrest the attention of the Government.

RETURN of COMMITTALS, showing those at and under 16 years of age.

Years.	Total No. of Committals.	No. under 16 years of age.
1845	16,696	878, or 5·25 per cent.
1846	18,492	1,007, or 5·44 ,,
1847	31,209	3,382, or 7·63 ,,
1848	38,522	2,962, or 7·68 ,,
1849	41,989	2,720, or 6·47 ,,
1850	31,326	2,419, or 7·72 ,,
1851	24,684	2,003, or 7·47 ,,
1852	17,678	1,713, or 9·70 ,,

We find, from this official return, that, from the year 1845 to the year 1852, the number of committals of children under sixteen years of age, as compared with the whole number of committals for these years, has increased from 5¼ to 9 7–10ths per cent, or a relative increase of 85 per cent. in seven years. The relative increase in the number of committals of young persons from sixteen to twenty-one years of age, although less than in the class under sixteen years, as just given, is still such as to suggest serious apprehension. In 1849 they formed 19 per cent. of the entire number of committals; 21 per cent. in 1850; 23 2–5ths per cent. in 1851; and very close on 25 per cent. in 1852; being a relative increase of 31⅓ per cent. in four years, during which the entire number of committals of all classes fell from 41,989 to 17,678, or a decrease of 58 per cent. Nor is it the number of committals alone that shows the large fraction of juvenile criminals, as I deeply regret to state that the juvenile

element is considerably amongst the convicts, or those who, heretofore, would be transported, as the following summary from the Inspector-General's Report for the year ending December 31, 1851, proves:—

Prison or Depot.	Total No. of Convicts.	Under 16 years.	16 to 20 years.	Per Centage of No. under 23 years of age to Total No.
Spike Island, -	2,257	27	512	23·9
Mountjoy Prison, -	584	1	*132	22·8
Smithfield, - -	368	17	133	40·8
Newgate, - -	387	16	161	45·8
Richmond, - -	541	78	138	40·0
Ennis, - - -	169	10	53	37·2
Total, -	4,306	149	1,129	29·7

Of the 4,306 male convicts in these six depots, in January, 1852, 149, or about 3½ per cent., were under sixteen years of age; 1,129, or 26 per cent., were from sixteen to twenty; so that 29 7–10ths per cent. were under twenty years of age; and if the 1,099 from twenty to twenty-five be included, there were 55 per cent. of the entire number not twenty-five years of age.

Those who would hastily urge this vast increase in the number of juvenile criminals as an argument against the statement that popular education is extending amongst the mass of the nation generally, or as a denial of its influence in lessening crime, are completely silenced by a close examination of the several returns and Reports from the Chaplains, the Teachers, the Governors, and the Inspectors-General, and from which they will learn that poverty, ignorance (moral, religious, intellectual, and industrial,) orphanage, and parental neglect, are the main sources of crime amongst the unfortunate youth who form over one-fourth of the inmates of our Convict Depots and of our County and City Prisons. Mr. Corry Connellan, Inspector-General of Prisons, states:—

'Until, therefore, institutions are provided for the moral culture and industrial employment of the juveniles who, either from poverty or the profligate example of their parents, have no means of life but theft, *and no education but in vice*, we may despair of reducing the fearful proportion which they bear—*not less than one-fourth*—to our whole criminal population, the aggregate of which, when adult, they continue to maintain under another category.'

* In this, and the four Prisons which follow, the numbers in this column are obtained by adding to the number aged from sixteen to twenty half of those returned as being from twenty to thirty years, there being no intermediate age given in the official returns.

This opinion clearly sets forth the origin of the crimes, suggests a remedy, and points out the danger if unheeded. I beg to quote a few extracts from the Reports of the several Chaplains, in order to show the gross ignorance of the convicts.

Spike Island.—Rev. T. F. Lyons, Roman Catholic Chaplain, and who resides within the prison, and with an assistant priest, devotes all his time to his duties, says:—

'Those who understand the task of impressing the necessary amount of religious knowledge preparatory to the Sacraments, on the minds of 2,917 uninstructed convicts, *most of whom came here ignorant of the alphabet, and with only a very imperfect knowledge of the first rudiments of their religious and moral obligations, and many in total ignorance of them*, can form some idea of one portion of our duties.'

Mountjoy Prison.—Of 909 convicts here, in 1851, only 318 are entered as *learning* to read and write, whilst 344 were only in the alphabet, and 86 only spelling. Rev. Gibson Black, Protestant Chaplain, says of the 57 convicts of his communion:—

'The extreme ignorance of these unhappy men on every point connected with revealed religion, plainly testifies that in a country nominally Christian, men may live and die like heathens; and the *few* exceptions of young persons religiously brought up, found in the number of habitual criminals, should stimulate all who seek even the well-being of society to increased activity in the diffusion of scriptural education amongst the labouring classes.'

Rev. Neal M'Cabe, Roman Catholic Chaplain, thus classifies 970 convicts in his charge:—

No. who were not Confirmed before entrance,	410 or 42¼	per cent.
No. who had not made their first Communion,	308 or 31¾	,,
No. grossly ignorant of their religious obligations,	235 or 24¼	,,
No. both whose parents were alive when convicted,	166 or 17	,,
No. whose father only was alive, ,,	112 or 11½	,,
No. whose mother only was alive, ,,	201 or 20¾	,,
No. who were orphans at the time of conviction,	491 or 50¾	,,

He gives the average age of each convict as 25 years, and from the previous Table it may be seen that about 23 per cent. of the prisoners in Mountjoy were under 20 years of age He says:—

'By these Tables *we may reasonably conclude that the want of religious instruction, and of parental care, are two great causes of crime. By an examination of juvenile convicts we see how many of these unhappy children had been orphans at the time of their conviction.*'

He further states:—

'Person unacquainted with convicts cannot form an adequate idea of their very limited capacities. They will read tolerably, and even repeat from memory whole lessons, yet not understand a single sentence.'

In the Mountjoy Prison there is only half an hour daily given to the secular instruction of each convict, and eight hours to trades-work. In a Report to the Lord Lieutenant, by the very Rev. Dr. Geoghegan, Religious Instructor to 288 Irish male convicts brought out to Van Dieman's Land by the 'London,' in 1851, he states of the convicts:—

'Some were barely able to communicate themselves in the English language; the minds of others, through want of early culture, were inflexible to the imperfect teaching we could give them.'

Smithfield.—Rev. Thomas R. Shore, Protestant Chaplain, and who has filled such an office for 22 years, says of 72 convicts in his charge:—

'Already have I been gladdened by the acknowledgment of many, that here they first learned those truths, the ignorance of which had originally led them into crime.'

And Rev. W. Wilson, Presbyterian Chaplain to 16 convicts in the same prison, makes a statement precisely similar:—

'It has been no unusual thing for them to inform me, with much earnestness of manner, that they never had clear views, nor an impressive sense of the Gospel of Jesus Christ until they came within the walls of the prison.'

In this prison, of 467 convicts, 186 did not know their letters on their admission, 120 others were only spelling, and only 77, or one in six, were set down as reading and writing.

Richmond Prison.—Of 441 convicts, 176 did not know the alphabet, 110 could spell only, and 65, or one in seven, were returned as reading and writing.

I could have extended such extracts, but I have put forward proofs sufficiently ample from various quarters, that amongst the criminal and convict classes there is not a material fraction of them that have had the blessings of religious, moral, or intellectual culture, that instead of a reproach against, they form a most powerful argument in favor of education; and that the young convicts are the natural victims of poverty, ignorance, orphanage, criminal parents, defective legislation, and unwisely administered laws."*

These are facts, facts now before the country, in the *Reports* of the Irish Commissioners of National Education. They apply with equal effect to England—they show the necessity for carefully, and anxiously, yet quickly performed changes in our present system of prison discipline, as applied to the criminal juvenile; but the following statements, made in another portion of Mr. Kavanagh's *Report*, prove the pressing, the paramount necessity, not alone for a change in the whole code of regulations directing the Workhouse discipline of pauper juveniles, but also, for an inquiry into the qualifications of Workhouse Officers. When the Newcastle and Gateshead Committee on juvenile crime proclaimed "that a child, even when

* See this most excellent "Report," pp., 57 to 60.

criminal, should be treated as a child, and sent to a Reformatory School, and not to a prison," they were referring to the ordinary gaols of the country—but had they known the facts we shall just now, from Mr. Kavanagh's *Report*, insert, they would have added to their great truth this clause—that a child when poor, should be sent to a Reformatory School, and not to a Workhouse where the master may be imbued with the ignorance and cruelty of a slave driver, and actuated by the heartlessness of a slave dealer. Let it be understood that the children whose sufferings are detailed by Mr. Kavanagh were in the Workhouse as ordinary pauper juveniles. There was no criminality attached to them, and yet the treatment to which they were exposed might reasonably be attributed to an imitation of the atrocities recorded in the trial of Sarah Brownrigg, or recounted in *Oliver Twist*, or *Uncle Tom's Cabin*. The cruelty of the conduct reported is not the only unsatisfactory feature in the case; it is rendered more painful by the fact, that the entire account contains no proof that the very smallest effort was made to render the children any thing save that which they were—wretched pauper, or miserable criminal, juveniles: Mr. Kavanagh writes:—

"Within the past few years I visited the convict depots at Spike Island, Ennis, and Philipstown, the Galway Town Prison, and the county gaols of Cork, Clare, Galway, Roscommon, King's, Carlow, Louth, Westmeath, and Leitrim, and nearly all the juvenile male criminals in them had been in Workhouses. So well known is this fact that the Prison Board lately issued a new form of register, in which provision is made to enter whether the juvenile prisoner had been an inmate of a Workhouse. It appears from a return made to the Poor Law Commissioners that of 76,438 young persons of both sexes, from 9 to 21 years of age, who were in all the Irish Workhouses, April 2nd, 1853, the following numbers have been in gaol:—

Cause of committal.	No. of persons who have been in gaol.			Per centage in gaol to the whole number.		
	From 9 to 15 years.	From 15 to 21 years.	Total.	From 9 to 15 years.	From 15 to 21 years.	From 9 to 21 years.
1. For offences in the Workhouse,	511	1,165	1,676	1·0	4·4	2·2
2. For offences under Vagrant Act, ...	182	330	512	0·4	1·3	0·7
3. For other offences, . .	102	413	515	0·2	1·6	0·6
Total who have been in gaol,	795	1,908	2,703	1·6	7·3	3·5

This return does not distinguish sex, and as the vast majority of those committed were males, the per centage would be increased by about one-half, if it referred to the males alone. This important official statement reveals the melancholy admission that 35 per 1,000 of these young persons are either so depraved, or the discipline of the Workhouses is so conducted, that of the entire number put in prison, from 9 to 15 years of age, 64 per cent., and of those from 15 to 21 years of age, 61 per cent., were *for offences committed in the Workhouses*, so that their antecedent criminality, even including under this head the larger fraction of vagrancy, has been only about half as active in familiarising them with the debasement of a prison as the very Workhouses to which they resorted as an asylum. The outbursts in Cork and Waterford Unions, by which the windows were broken, the Workhouses wrecked, the officers injured, and police and military interference required, were not only witnessed, but were shared in by the school children, and by many who had been reared in those institutions. In the *Waterford* House, of 189 boys present at my examination, November last, 21, or one-ninth of the whole, had been in gaol; 7 of these were twice, and 2 were three times, and the ages of the 21 ranged from 7 to 15 years. The deep importance of the subject will, I trust, excuse a brief reference to the personal history of a few of those unfortunate boys, as taken from my notes. To avoid exposure I give the initials only of their names:—

E. B., age 14 years; an orphan; entered about 3 years ago; left, and out about 6 months, working in the Blue Factory; has been in or about a year in the School; knows a few only of his letters; was twice in prison for crossing the Workhouse wall, got a month, and two weeks' hard labour on the tread-mill; in the penitentiary prison for a week for asking, as he states, a ticket from the Relieving Officer.

J. R., age about 15; father dead, mother deserted him; in the house about 10 years; was out twice, about 3 weeks each time; reads an easy narrative in first section (words of one syllable) of Second Book; put in gaol for leaping on the school desks in the Workhouse; got 6 weeks and hard labour on the tread-mill; when he came out he took old books off a stand on the quay, for which he was again put in gaol for 7 weeks.

J. M., age 12 years; 10 in the house; an orphan; attempts to read words of one syllable; was out of the house 5 or 6 times; got up at night, broke into Workhouse pantry and took bread; a month on the mill in gaol for it; stole books when he got out, 4 weeks in gaol; was stripped there and got 40 lashes; was in the cell, or house, 'lock-up,' 5 or 6 times.

J. S., age 13 years; 8 years in the house, was never out of it; father dead, mother in the house; a week in gaol. Attempts to read Second Book; is working subtraction; does not write on paper.

J. F., age 15; orphan; 6 years in the house; can read words of one syllable only. Was out of the house 4 or 5 times; in gaol 3 times for crossing Workhouse wall; got a month on the mill each time;

he had been at the men's side of the house 6 months ago, but was sent back to the school to reform.

The blankets and sheet of this house were frequently stolen out of the ground by the boys, and there torn, and exchanged as old rags, over the wall, for tobacco, &c.—parties attending outside to conduct the traffic. Even ventilation had to be put under lock; as, although the windows were protected by iron bars, experience taught the Master that food could be passed through when the windows were opened. The present Teacher was pelted with stones in the school, by the boys, soon after his appointment; and it is only lately that any thing approaching to a moral tone has been felt and acknowledged in his relation to the boys. They were heretofore stript and flogged in the school, sent to gaol for breaches of discipline; and not only moral, but even bodily weaknesses were severely dealt with, as, for wetting their beds at night, young boys were taken out, next day, to the pump, stripped, and publicly pumped upon, for a fault in the commission of which they may have been entirely unconscious. Lately the discipline is much improved; and it will not be the fault of the Chairman of the Board or of the Poor Law Inspector if a healthy moral training be not introduced amongst the boys. In many of the houses the discipline and punishments were gross violations of the whole spirit of the regulations of the Poor Law Commissioners. In Strokestown Workhouse a pane of glass was broken; the Master of the house accused some of the school-girls (unjustly, it is said,) with the breaking, and, as a punishment, he stopped the milk of the entire fifty-two school girls. In Castleblayney Union I examined the Girls' School in September last and left; but having occasion to return in an hour, I found a young girl in the cell, whose loud and bitter crying attracted me. On inquiry, I found she had been noticed speaking during my examination; and for this offence she was put in the Workhouse cell or prison, which, when I looked into it, was in a disgusting and indecent state. In Kilmacthomas Union the Master of the House, disapproving of the amount of stones which a boy twelve years old had broken on a cold, frosty morning, brought him to the School-master, who, under his direction, stript and flogged the boy on the spot. In the same house boys who complained of an insufficient ration of bread (or, in the slang of the house, of too small a 'jockey,') had their ears first boxed by the Matron, they then got an hour, after night-fall, in the cell; and, for reporting the case to the Chaplain next day, they again got from 11½, A.M., to 6 o'clock, P.M., on Sunday, in the cell, where the Master visited them and struck them. September 1, the Schoolmaster found fault with a boy in the dining-hall, during a meal, and struck him with a cane. His comrade at once flung a pint of milk at the Teacher's head; whereupon the whole of the boys attacked the Teacher, who, in his defence, struck the first boy with a heavy key, and cut his head so as to endanger his life. For this he was committed to the county gaol, and liberated in a fortnight. The Guardians expelled the two ringleaders from the house, and at my visit they were, where it might be expected, in prison for theft. These are amongst some of the worst instances of a discipline, the evil effects of which Chaplain and

school may in vain attempt to prevent or greatly counteract; and whilst they are some of the worst, there are many Unions in which stoppages of rations, the cell, and the prison, might, under a higher class of officers, be little resorted to in the government of the juvenile inmates." *

Who reading this account, this woful account, will not demand with us for England, for Ireland, for the Nation generally, those Schools which will save us from the horrors of juvenile crime; a crime daily increasing, even though at this hour it is calculated that ten per cent. of all persons committed to prison are under sixteen years of age, whilst thirty per cent. of the convicts have not reached their twentieth year. This is not surprizing if we remember what the gaol is, and recollect the criminal absurdity, the unphilosophic course pursued in all our courts, when juvenile crime is in question. Mr. Recorder Hill, in his charge to the Birmingham Grand Jury, at the Michaelmas sessions of 1850-51, told the history of these national follies; that history is as brief as it is true; it states that—

"When the juvenile offender firsts presents himself at the bar we give him a slight imprisonment, just enough to accustom him to short separations from his companions, and to dispel the wholesome illusion which had made the gaol a place of fear, because it was a place of mystery. On the next occasion he remains longer, but he has become practised in prison life, and bears confinement far better than he would have done but for his former lesson. This process is repeated from time to time, while the moral which the wretched creature draws from his alternations of confinement and freedom is not to refrain from offending, but to commit offences in such a manner as shall least expose him to risk of detection; and moreover he resolves that when at length detected, he will bear his privations with as much contempt and defiance as he can command: consoled by the prospect of restored freedom, and the hope of better fortune in future."

We have, through the entire progress of this paper, endeavoured to place before the reader the views and opinions of those who are most competent to express, with all the weight of practical experience, their judgments upon the principles of Reformatory Schools, and PARENTAL RESPONSIBILITY. We have shown what the Reformatory System is

* See the "Report," pp. 38 to 40.

both in France and England. From France, those who advocate the Schools have derived the chiefest and most valuable assistance; united with her as we at present are; banded as our bravest and our best are now with her's; shoulder to shoulder as they stand, closer than in the old days they stood face to face in many a hard fought field, it would be indeed a pitiable catastrophe if through mistaken zeal, or too readily received misinformation, we should peril the success of the Reformatory Movement by permitting the public mind to become doubtful as to the benefit of a principle which is in France, in America, in Scotland, and in England triumphant. We wrote because we thought it a duty to place before our readers the truth, broad and clear as truth should ever be displayed; and if we have brought back to the steady support of the cause one wavering friend, one doubting, because misinformed, ally, our labor has been amply repaid: and if, from an opponent, we have converted even one man, remembering Miss Carpenter's great and admitted services, we may write even one woman, to the ranks of our friends, we should be doubly rejoiced. Our poor people are not to be regarded as hopelessly lost, and sunk in crime; our criminal and destitute children cannot be looked upon as more depraved or more incorrigible than those of France; and when, from the beautiful essay of M. Demetz, so full of love, and charity, and so fraught with that hope which only good men know, we learn the great results of his efforts, and of that life which is all a prayer—because it is all heaven-directed labor—who can doubt? And who will say that the country which gave birth to John Howard, to Sarah Fry, to Sarah Martin, to Mary Carpenter, to Sydney Turner, to John Wright, and to a hundred others whose works of goodness are amongst the glories of the Nation, can fail to produce, and support its Reformatory Schools, and to make amends for the closure of Stretton-on-Dunsmore, by working and extending the system and the Schools, until at length, and speedily, we shall point to Reformatory Institutions rivalling Mettray in that species of success which would be the dearest to the heart of M. Demetz, and of all good men—a competition in the lowest percentage of relapses amongst the discharged pupils. This would indeed be a competition worthy of the two great Nations—worthy of our people, to whom Lord Brougham appealed, when he exclaimed—

"In extirpating crimes, we must look to prevention rather

than to punishment. Punishment lingers behind; it moves with a slow and uncertain step—it advances but at a halting pace in its pursuit after a criminal; while all the advantages which it promises, without being able to attain them, might be secured by preventing the access of the evil principle into minds as yet untainted with its baleful influence. By the infusion of good principles, and by that alone, can we hope to eradicate those crimes with which society is at present harassed. I feel that every day is lost which is not devoted to this great purpose by the lawgiver, and the government of this close-peopled, wealthy, and manufacturing country, where the variety—I had almost said, the variegation of the moral aspect of the people is so great,—arising from the variety of their habits, and from the consequences which inevitably follow from the unequal distribution of wealth—where we behold all the extravagance close by the squalid wretchedness of poverty. In such a state of things, the necessary consequence is, that crime and immorality will abound. In such a state of things, then, it is necessary that the lawgiver and the ruler should take every means to extend education, and thus prevent the aptitude for criminal purposes." *

These were grand thoughts, clothed in the noble language which ever distinguished Lord Brougham's efforts in the great cause of Education. Even now, he has enabled the friends of the Reformatory Schools to back their claims by the support of his famous name, in surmounting the "Religious Difficulty" question. Major Mair, and the gentlemen who were deputed to represent the Edinburgh United Industrial School, at the Birmingham Conference of 1853, proved that this School was successful, because children of various creeds, though instructed together in secular learning, were permitted to acquire the knowledge of religion separately, and according to the mode of worship in which they had been reared: † and now to the support of this principle of Free Education in Reformatory Schools we may apply the arguments urged upon the House of Lords, by Lord Brougham, when, on Friday, the 4th of August, 1854, he made his noble appeal in demanding Free Education for the Unitarians. That speech has been meagrely, and ill reported in the newspapers; through the great kindness of

* Speech on National Education, June 30th, 1835.
† See Ante. p. 752.

an esteemed friend, we are unabled to place its most important arguments as *really* spoken, before the reader,—it is conclusive in support of the opinions expressed to the Committee of 1852, by Mr. Hill, by Miss Carpenter, and by Mr. Power.

Identified as Lord Brougham's eloquence has been with the advocacy of every measure proposed in these Kingdoms for the amelioration of our people's condition, or of the human race; employed as his intellect has been in the investigation of great sciences, in the pursuit of extensive knowledge,—whether that intellect was devoted to the advancement of the Education of the People, to the amendment of our Municipal Laws, to the perfecting our jurisprudence, to the advancement of the great cause of Religious Liberty, never, in his most glorious hour of fame and mental energy was he more himself, more HENRY BROUGHAM, than when, in advocating Free Education, unchecked by the trammels of those who, in the panting ardor of theological enthusiasm forget, as Fuller tells us, that "The Holy Ghost come down, not in the shape of a Vulture, but in the form of a Dove"—he said—

"So much for the tolerance of those, who charge the church with exclusive principles; so much for the fancy that intolerance is confined to establishments,—I have heard it once and again affirmed that Unitarians are not Christians; and some in their unreflecting zeal—some even of those whom I sincerely respect, have gone so far as to call Socinianism a half-way house towards infidelity; forgetting that a half-way house, from the nature of the thing, ex ei termini, must be either towards or from, either to infidelity, or from infidelity to Christianity; and I have known eminent converts from the superstitions of the East, who were Socinians; but when misguided men, of more zeal than knowledge, would thus distinguish the Unitarian from the Christian, whom, I will ask, do we fondly cite as our highest authorities when we are engaged in defending our religion against its infidel adversaries? In arguing with these upon the evidences, how often has one said—what better would you have than that which satisfied the greatest masters of science, the great luminaries of law? Who was ever a better judge of legal evidence than Hale—of moral evidence than Locke—of mathematical and physical evidence than Newton?—and yet Locke at one time laboured under grave suspicion of Unitarianism, groundless, perhaps, for

he was an Arian. But that Newton was a Unitarian is quite certain, (Lord Campbell expressed some dissent, saying he was an Arian,) no—as thorough a Unitarian as ever attended the Essex-street Chapel. My noble and learned friend will find this clearly proved by Sir D. Brewster from examination of the Newton MS. which that learned person says, leaves not a shadow of a doubt upon the subject. Your lordships indeed are not Unitarians; I question if there be one in this House, (Lord Campbell, there have been) certainly there have; the Duke of Grafton and others; with them we may not agree; but assuredly their errors are not to be corrected by denying that Sir Isaac Newton was a christian, or Dr. Lardner, he to whose writings the defence of our Religion owes so great an obligation, that they form a large proportion, nay the very foundation of Dr. Paley's celebrated work: with those eminent men you may differ; you may keep aloof as well as you will from them; but it is not by denying the christianity of Newton or Lardner, that you can turn men aside from their track. Neither of their heresies, nor of far greater than theirs, have I the least dread. I have no alarm for the truth; no fear of error; let truth be left to the attacks of its enemies, error to the care of its friends, and I have no apprehension of the result; but one thing I do fear, one thing does alarm me, and that is persecuted error—that fills me with apprehensions; for well I know that whether openly persecuted or secretly oppressed, cruelly treated or subjected to injustice, annoyance, and vexation, it straightway becomes formidable—maltreatment gives it the only chance of success—makes it by degrees wear the garb of Truth, and end by usurping her place. I hope and trust that the notice taken of that grievous mistake into which the men I allude to have been betrayed—well meaning men, but over zealous, and without knowledge to temper and guide their zeal—may lead them to regain the right path from which they have strayed, to correct the abuse which they have countenanced."

"It is my confident hope that the bill on your table, giving effect to the Resolution which I have been discussing, will receive the sanction of your lordships, and that effectual means may thus be afforded of giving where they are most wanted, the blessings of education to all classes, without regard to their religious persuasions; we hear of maladies breaking out in certain districts detached one from another; the great evil of igno-

rance is also found to exist dispersed, and I would apply to it a Sporadic remedy, by giving our municipal bodies the power of planting schools at the cost of the communities, subject to the Government, but schools open to the children of all, whether Protestants or Catholics, Churchmen or Dissenters; and kept open by rules preventing all compulsory teaching of Catechism, all compulsory attendance on Divine Service. This has been found easily effected in the North upon the principle so wisely and liberally laid down by Dr. Hook, of Leeds; for at Edinburgh, I know that the children of various sects receive religious instructions in the same place, at different hours from different pastors, while they receive secular instructions at the same hours from the same teachers. But wise by the experience of my noble friend in the Home Department, (Lord Palmerston,) who has unfortunately been frustrated in his attempts to improve our police by the jealousy of corporate towns, I have provided that the municipalities shall have the most uncontrolled management of their schools, subject only to having the rating power withdrawn by the Education Committee of the Privy Council, for a breach of the conditions on which it had been granted, such especially as the cardinal one of keeping the schools open to all classes. If they choose to change the fundamental rules, they must rely on other funds than the rates. I look forward to this measure as yielding a fair promise of successfully grappling with the religious difficulty, as it has been termed, hitherto obstructing our course. But I also look to my noble friends, who in the Privy Council administer the distribution of the grants for Education, and I expect that they, too, will continue to put down all exclusive plans on the part of those who receive their aid, under what name soever they may approach the Committee, and will sternly discountenance such proceedings as I have been under the painful necessity of describing and denouncing—proceedings taken in violation of all principle, in display of intolerant bigotry, and in furtherance of its unlawful designs."

Our great movement has been seriously embarrassed by what is called "The Religious Difficulty" question. The "Difficulty" is simply, shall we compel the pupils of the Schools to learn the teachings of any other religion, save that to which their parents belong, and in which the children may have been reared? If we merely considered the peculiar position of Ireland, we should, recollecting the great success of the National System of Education, unhesitatingly record our complete confidence in

the principle of this System, which, whilst affording secular instruction in the School to children of all persuasions, leaves the religious teaching of each to the care of his own peculiar pastor. For Ireland this, in our own mind, we may assert in the minds of all who know the country, is the only System which can obtain and keep the confidence of the country. But when we consider the circumstances of England and Scotland, we naturally enquire into the opinions of those who are most likely to possess accurate information upon the subject; and then, when one comes to enquire into "The Religious Difficulty," it appears to be as little of a difficulty as any of the difficulties which are said to embarrass the Reformatory School movement. Mr. Recorder Hill, Miss Carpenter, and Mr. David Power, the Recorder of Ipswich, speaking of England, are of opinion that the religion of the children should be that of the parents, or that which the children themselves might select; whilst of the Bill for Scotland, our valued friend, Mr. Thomson of Banchory, is an ardent supporter and a defender of the 27th clause, which permits the absence of the children during the hours of instruction in a religion of which they are not professors. *

As accurate knowledge of this "Religious Difficulty" question is of very great importance, we shall here insert at length the opinions expressed on this subject, to the Committee of 1852, by Mr. Hill, by Miss Carpenter, and by Mr. Power. Mr. Hill was asked:—

626. "Have you at all turned your attention to what amount or nature of religious instruction you would give in these schools?—I have not touched much upon that topic, it is one that raises so many diversities of opinion; but I do know this, that in many of our prisons as they exist, the chaplains are acting with the highest zeal, and the most perfect discretion, and doing the great work in the very best way."

627. "As far, however, as that is concerned, I understand you to say that you have not matured the plan? —As far as that is concerned, I have contemplated that there would be chaplains, and that, in fact, the religious instruction would remain very much upon the footing on which it is in gaols at the present time, where, as the Committee knows, if a prisoner objects, upon religious grounds, to the ministry of the chaplain, he is permitted, under certain limitations, to call in aid the services of those in whose doctrinal views he agrees."

* See "Remarks on the Lord Advocate's Education Bill, Addressed to a Meeting of Commissioners of Supply, and Justices of the Peace, of the County of Aberdeen, on Thursday, the 6th April, 1854." By Alexander Thomson of Banchory. Aberdeen: A. King and Co. 1854. p. 13.

631. "Although you have not entered into that question, do you think that the differences which have existed upon religious matters in various classes of the community would create any additional difficulty in respect to your plan?—The only difficulty I apprehend exists among those who, like yourself and your class of society, are discussing it. With regard to these poor creatures themselves, they have scarcely any religious differences, and I rather think that if inquiry were made among the governors and chaplains of gaols, the Committee would find this provision for calling in the aid of ministers of other dominations than that of the Church of England, very rarely indeed put in action. The truth is, that the class from which criminals are drawn have no religion at all; they are not divisible into Roman-catholics and Protestants; they are for the most part practically heathens."

Next we give the opinion of Miss Carpenter:—

855. [Mr. *Tufnell.*] "Do you not think it probable that any great establishment, such as you describe, if it is to depend entirely upon individual efforts, would have great difficulty in supporting itself?—I would not depend entirely upon that; of course, in different localities there will be a varying number of benevolent persons who either can or who desire to carry them out. When such are not found, I would advise that, through the Legislature, such schools should be established in districts; in every district where it is found there is not one, and where it is needed, there should be one. In some cases two or three districts might associate together; or there might in other parts be several in the same neighbourhood carried out by individual bodies; it is very important that the religious action should be quite untouched; because we are not contemplating training boys to such and such religious creeds, but making them good and useful members of society. I have a firm conviction that that cannot be done without religious action, but this should be quite free. In Bristol there are a great number of Irish Catholics; in fact, a very large proportion. Now, it was said by a former witness that these poor chidren had not any religious conviction. Of course, in a great measure, they will not have, and many of those who call themselves Catholics, I dare say, have not any particular reasons for professing themselves to be so; but nevertheless they are Catholics, and they feel a very strong line of demarcation between themselves and Protestants. I think it would be wrong to compel all such children to be submitted for a length of time to Protestant influence; although, as a Protestant, I might myself feel that very desirable, yet I should not like to compel the consciences of others; and if the Catholics should think proper to set up a Reformatory School, and carry it out in such a way as that the Government inspectors might feel fully satisfied that it was a good institution, and answered the end proposed, I do not see why there should not be such an institution at work, and why the magistrates, knowing that there were two or three such institutions in Bristol, should not be at liberty to commit the child to such a one as would not compel him to undergo religious instruction contrary to his parents' views."

867. "Can you imagine that these schools can be established upon such a basis as to avoid the religious differences which exist between various sections, but at the same time to inculcate religious principles and instruction to the children? —The school with which I have been acquainted is supported by a number of persons of entirely different religious opinions; members of the Church of England, Orthodox Dissenters, and Unitarians. These have all agreed to unite on certain common grounds which they felt they could unite upon, and to leave the inculcation of religious doctrines to the ordinary Sunday school."

868. "Are the Scriptures used in these schools, or would they be in those schools which you propose?—Yes, I would not on any account have any school without the use of the Scriptures, but I feel the Scriptures too sacred for the mere mechanical purpose of teaching to read; this is done in many schools, and does great harm, no doubt."

869. "How would you provide for those parts of the population which consists of a great proportion of Roman-catholics, where their own particular views of reading the Scripture are very peculiar?—In the way I suggest only. Of course, when carrying out such a school as I am proposing, I would not be so strict as I would in the day-school in controlling the master. I would let him freely give his religious views, with the general direction that his teaching should be practical."

870. "But still there would be a compulsory attendance of children, would there not, upon the reading of the Scriptures?—Yes."

871. "So that you could not obviate the objection which might be taken by a Roman-catholic parent?—No, but that would be remedied according to my own plan by Roman-catholics themselves establishing a school of their own."

872. "But do you not propose that these Reformatory Schools should be supported by a general rate, in the event of a subscription fund not being adequate for that purpose?—Yes; but the rate is levied for them as Reformatory Schools. The rate would be levied in order to support reformatory action upon certain children who were vicious citizens, and whom it was wished to transform into useful and good citizens. I think that we must be exceedingly careful not to control their consciences more than can be helped. We all agree in the use of the Scriptures, in considering them as containing the rule of life; we know that the Catholics do not approve of the kind of use of the Scriptures that we may adopt, though at the same time they have authorised in Ireland selections from the Scriptures. If Catholics felt an objection to the children being confined in such Reformatory Schools (because they might justly say children who are sent to prison are only sent for a certain time, but when they are placed in these schools they may be detained there for many years, until their minds are entirely moulded), then let them establish a Reformatory School themselves, only taking care, as at Mettray, which we have quoted as the especial type of one, and which is a Catholic School, that the Reformatory action is thoroughly carried out so as to satisfy the Government inspector;

and if so, I do not see why Catholic children should not be sent to Catholic Reformatory Schools, if they feel the matter of sufficient importance to establish them.

999. *Mr. Monsell.*] "In a community, such as Manchester for instance, which is very much divided in religious opinion, how do you conceive that the initiative would be likely to be taken with reference to these schools; do you contemplate, for instance, that the members of the Church of England should establish a school if they pleased, that the Roman-catholics should establish a school if they pleased, that the Unitarians, and so on, should establish a school if they pleased, and that then the school should come under the denomination of a reformatory school, upon being inspected by a sub-Government authority, and declared to be suited for that purpose?—That is my idea. I believe that if voluntary action is enlisted, it is absolutely necessary to leave the religious question to the consciences of those who establish the school, and that the only aim of Government is to reform It is not the aim of the Government to enforce such or such a religious belief upon such and such children, but it is its aim to transform vicious children into useful members of society. The religious difficulty will be entirely avoided if such a course is adopted, because, as in the dissenting schools at present, the inspector would solely look into the management of the school, and investigate whether it carries out the objects intended by the Government, in granting the money and certificate, and would merely inquire from the conductors of the school whether they were satisfied with the religious teaching. That plan has answered perfectly in the case of the schools at present aided by the Committee of Council, and I do conceive that that would be the only way of effectually carrying out such schools as these."

1000. "In point of fact, a school would become capable of Government or of municipal assistance upon the certificate of the inspector?—Solely upon the certificate of the Government inspector that such school was really carrying out the objects intended, and I think that great injustice would be avoided by taking such a course. A very large proportion, as you may possibly be aware, of the population of Bristol, of the lower classes, are Irish Catholics. A large proportion of the juvenile offenders will consequently be Irish. Now I think there is no reason for our controlling their consciences, and that if the Catholics of Bristol should think proper to establish a reformatory school, the only enquiry of the Government ought to be whether it is carrying out the object intended; and therefore it would be optional with the magistrates to commit children to one school or to another, according to circumstances. Probably you would think proper to consult the parents whether they had any distinct religious convictions on the subject."

We now give the opinion of Mr. Power:—

1160. "Have you any knowledge of that institution near Hamburg?—No personal knowledge, but I would mention with respect to the three institutions of Hamburg, Mettray, and Red-hill, that though the conductors of them differ upon doctrinal points of religious belief, yet similar good effects have resulted from the working of each. The same good effects have resulted, because they

have endeavoured to carry out those, if I may say so, far more substantial measures with respect to the moral treatment of the children who are under their control, and therefore that there would be no difficulty, as it appears to me, when you come to establish these reformatory institutions, arising from points of religious difference, because the results have been, in all these different cases, equally efficacious."

Our task is nearly acccomplished; but if, in the course of our paper, we have written one word that can be possibly construed as implying the slightest doubt of the integrity or complete good faith of the Rev. Sydney Turner, we shall indeed regret the hour in which we first read his letters to *The Times*. He has only, through his great zeal for the progress of the cause, suffered himself to be deceived by the figures of the *Report* of M. de Persigny—*figures* which prove, when examined in relation to the *facts* of the document, most satisfactory: facts which are proved in that sentence in the *Report* of M. Demetz which tells us, that notwithstanding the want of a law of PARENTAL RESPONSIBILITY, the relapses of Mettray pupils have been less than eleven per cent. since the foundation, even though the children "had received the very worst possible examples from their own family, and that some had even been prompted by their relations to commit the crimes for which they were arrested;" whilst to these evils must be added that evident source of relapse, the setting at liberty, to return it may be to such parents as these, children scarcely twelve years of age. It was through the forgetfulness of such facts as these that Mr. Turner wrote the letters which might have served to shake the confidence of the public in a system which opposes the old principles of corporal pain, and prison labor, and prison association. To many these are the only remedies known for juvenile crime—they are the remedies even now, despite all experience, advocated by *The Times*. Far wiser was the principle advocated by the Newcastle and Gateshead Committee, which proclaimed that "a child, even when criminal, should be treated as a child, and sent to a Reformatory School, and not to a Prison," a wise and humane principle, *the* principle of every friend of the Movement which places its trust of success in the working of the heart, not in the suffering of the body,—a principle which has its source from that thought of Fuller's—"Is there no way to bring home a wandering sheep but by worrying him to death?"—a principle by which Mettray has reformed its pupils; a principle through which England too shall be triumphant.

This result can be best secured by honestly and earnestly directed efforts to spread the knowledge of all the great benefits of the Reformatory System amongst the people of these Kingdoms. Mr. Frederick Hill, to whom the enviable praise is due, of having first taught the value of the principle of PARENTAL RESPONSIBILITY in checking juvenile crime, is a writer whose labors are known to the Legislator and the student; Miss Carpenter, Mr. Recorder Hill, Mr. Thomson, Mr. Joseph Kay, and others, have likewise been the advocates of the movement amongst the thoughtful, and the influential, but we desire to see this question of Reformatory Schools popularized. To none, more than to the working classes, is their success important—when they know the benefit of the system, they will support the Schools—and the fact related by Mr. Thomson, cannot be too often repeated—that whilst the rich inhabitants of Aberdeen contributed £150 for the support of its Industrial Feeding Schools, the artizans collected £250 for the like purpose—and why?—the reason is simple and wise—they said to Mr. Thomson,—"Before this School was opened, we were afraid to trust our children a moment out of doors alone; they were exposed to learn, and did learn, all manner of mischief; *but now this School has cleared the streets of the little vagabonds who corrupted them. We are not afraid to let them out, and therefore we support this School.*" We are justified then in assuming that from the knowledge of these Schools would spring their maintenance, and we view with satisfaction the publicity given to the benefits of the system by such contributions to its history as the *Lecture* of Mr. Hall; with equal pleasure, have we read the series of papers on Reformatory and Ragged Schools, now in course of publication in that excellent serial, *The Journal of Progress.* * With such advocates as the writers of these papers, we must succeed. We must succeed with such advocates as, at St. Martin's Hall, argued for the extension of Education in all its forms—and where, amongst the speakers were ranged men of minds so opposite on other points as Dr. Whewell and Cardinal Wiseman, yet united upon this point—four and twenty years ago, so powerfully urged by Archbishop Whately—"If the lower orders are to be the property, the slaves of their governors, and to be governed, not for *their own advantage,* but entirely for the benefit of their rulers—then, no doubt, the more they are degraded

* See the July number for a very interesting paper, on "Bavarian Prison Discipline."

towards the condition of brutes, the more likely they are to submit to this tyranny. But if they are to be governed as rational beings, the more rational they are made, the better subjects they will be of such a government."

These are the sentiments which should actuate us all—and we should prove our appreciation of the Reformatory System as a voluntary institution, upon the principles so ably and concisely stated by Mr. Frederick Hill, in his letter to the secretaries of the Conference of 1853. Much as we respect the ability of Mr. Corry Connellan, the Irish Inspector of Prisons for the Northern Districts, we must, as friends of the Reformatory School Movement, protest emphatically against his opinion that, as juvenile crime is plainly shown to be beyond the hope of repression through the ordinary prison discipline, there is forcible necessity for *public interposition*,—"the subject being one of too great magnitude and gravity to be intrusted to the administration of private benevolence." Doubtless, officials see all things with official eyes, and hence it is that upon the common ground of *Government Intervention*, the Irish Prison Inspector, and the French Minister of the Interior meet—and though the Act of last Session shows that the Legislature is not quite ignorant of the benefits of voluntary agency—so perfectly proved, despite all disadvantages, as we have shown by the examples of Mettray, and various English Schools—yet it will probably require a few more speeches from Lord Brougham and Mr. Adderley, and the moral force of another Birmingham Conference, to convince the official mind, and to "pull the Government *up* to the People."

But this triumph can only be obtained by openly, honestly, clearly, and plainly, stating our hopes, our views, and our aspirations. We freely adopt, as our guiding principle, the resolve expressed by Mr. Recorder Hill, at the morning meeting, at the Birmingham Conference of 1853, when he said—"I am willing to wait till public opinion is right, and until the Legislature is right; but I will have nothing done with my consent that is not fixed on sound principles. I would rather have a little genuine good than a large mixture of truth and error. We must look to our friends in Parliament, who will, I am sure, appreciate the confidence we have in their sincerity and candour; I thank them in my own name, and in the name of this great meeting, for their exertions; I implore them to stand firmly on the rock of principle, and never to tempt the shifting sands of public opinion."

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ART. I.—THE FUTURE OF THE WORKING CLASSES.

An Essay on the Relations Between Labour and Capital. By C. Morrison. London: Longman, Brown, Green, and Longmans. 1854.

Although we, of the present day, can hardly compete with those golden ages of literature which have preceded, there is yet one cause of pride and congratulation peculiar to us, sufficient to more than outweigh in true glory all that the distinguished works of our literary predecessors could lay claim to. Within the last few years, the noblest object which could occupy the mind or pen of man, the moral and social reformation of the humbler classes, the elevation of his fellow man, has been the subject of enquiry and discussion, of thought and industry. Even our writers of fiction have, with a singular zeal and earnestness, forced upon the public mind the monstrous anomalies in our social system, and exercised an influence for good, the importance of which it is impossible to estimate. Until but very recently there was an utter absence of information on matters connected with the well being of the great masses. No doubt, individuals amongst those who have preceded us have done much, and in some instances might almost put us to the blush in dispensing charity, in relieving the sick, the destitute and the needy.

Occasionally too the sufferings of the ill-paid and over worked artizan have, incidentally to the developement of their plots, been painted by dramatists and novelists. It has, however, been reserved for the present generation to inaugurate a species of literature, in its fiction systematically aiming at the education of our humbler fellow men, by calling attention with painful accuracy to their privations and mental and physical wretchedness, and in its more serious works upon

the social frame work discussing, and pointing out the means by which these privations and this wretchedness may be avoided, and a great and natural amelioration of the vast human family may be effected. In offering these observations we do not lose sight of the immense number of tracts and essays, purporting to have this object in view, produced by the French Revolution; we look upon these however, (as all who have considered them with care and as experience has proved them,) as the lucubrations, in most instances, of designing knaves, for political or selfish purposes, and in the few cases, of hot-headed fanatics and visionaries, actuated more by a desire of putting some private scheme into practice and of experimentalizing, than by motives of pure humanity and christian charity.

There is one prejudice in the public mind which *must* be removed, one general misconception which *must* be set right—that with regard to what is called Political Economy. It is generally supposed to be one of those abstruse sciences, the difficulties of which are enhanced by the use of peculiar terms with arbitrary meanings, much more difficult and uninteresting and much less important to the public at large, than cubic equations, the differential calculus, or the theory regarding the polarization of light. Not alone the humbler classes know nothing of it, but with the exception of those who have received a University education, but very few of the middle or upper classes are at all acquainted even with its more general principles. That with several of its branches there is some accuracy in these notions, as to its difficulty, is true; but with regard to those great and immutable laws which regulate the prices of human food, and raiment, and all other articles necessary for man's support or comfort, which fix the rate of wages, and the remuneration which the workman shall receive from his employer, whether domestic servant, farm laborer, manufacturing operative, or skilled tradesman and mechanic, those great truths which elucidate the problems as to the causes of want and plenty, of brisk employment and consequent prosperity to the middle class, and comfort to the masses, and of stagnation of trade, and consequent bankruptcy and suffering to one class, and of actual famine to the other, to acquire a general knowledge, nay more to understand the reasons and universality of these rules, is within the grasp of the ordinary intelligence of mankind, and requires for a

foundation no further education than that which the children of the middle class have been receiving for years, and which the children of the lower class are now receiving, or may receive, at the Schools in connection with the Board of National Education. So much is an ignorance on these subjects the result of culpable negligence, or groundless and ignorant prejudice that, in the year 1824, a law prohibitory of combinations amongst workmen was found on our statute book; and even amongst the great mass of our legislators, notions, now admittedly erroneous, upon some of the most important of our social relations, prevailed. We hope much from cheap literature, and we shall look with confidence to it, as a great means of spreading these truths, and imparting a familiar, and popular knowledge of these branches of Political Economy, which more directly effect the masses. Considerable as are the benefits which have already been, and are being conferred upon the human race, by the extensive circulation of inexpensive publications, we are satisfied as great, and as wonderful a change will be brought about by them in the condition of the human race, as the steam-engine and the electric telegraph have effected in the material world, and one as little calculated on by its founders. This very spread of knowledge amongst the lower classes, which is, in substance, an extension of their power, will render it the more necessary that they should rightly understand their own position, the relations between them and their employers, the causes which produce amongst them plenty and want, full and constant wages, and half or no work, and that their minds should be disabused of those erroneous but most popular, and therefore most dangerous notions which they entertain on those points. A knowledge on these subjects cannot be suddenly communicated from the summit to the base of the human pyramid. It must make its way through the middle class, and communicated through them, and so to speak popularized, become uniformly and regularly diffused. Such knowledge, unlike the electric spark in the rapidity of its transit, resembles it in requiring an unbroken and conducting chain of communication.

Happily for the national prosperity of England, and her pre-eminence in trade and manufacturers, it never was much the policy of her governments to interfere with the conduct of, or place unmeaning and harassing obstructions on, commercial industry, as was the case in other countries. Although

the great principles of Political Economy were until recently unascertained and unpromulged, a certain wisdom and forethought induced her legislators to interfere but little with private enterprise or the private relations and contracts of individuals, (although there are several instances of interference so trifling, however, as not to interfere materially with trade generally, which show that the laissez faire principle which now in a spirit of enlightened legislation is acted on strictly, was then far from being recognized or even contemplated). Immutable and universal as the laws which govern the motions of the heavenly planets, which cause the tides to ebb and flow, night and rest to succeed day and action, season to succeed season, calm and sunshine, to the thunderstorm and the tornado, like them, the great laws which regulate the support, the order, and the relations of man with man, must excite in the human breast emotions of wonder, and of gratitude to that divine providence which alone was capable of imposing such vast and such accurate rules for the arrangement of the human race.

To the philanthropist of every class,—we need only state, that to effect his favorite object of rescuing the humbler classes from that misery to which they are for the most part exposed, to raise them to comfort, and enable them to look upon those higher in the social scale, with other than that distempered gaze which is now fixed upon them, to improve their moral and social condition, it is necessary to shew them the causes from which their misery and degradation spring, and how, as a class, they may elevate themselves,—to ensure his attention to this science, and his anxiety to render its truths expressed in homely language, and explained by homely and popular illustration universally known. To the mere politician and statesman, we would point to the danger likely to ensue, if the humbler classes and their representatives should become a great, if not a predominant party in the state, as sooner or later they must be, (if we educate them,) imbued with the false doctrines of ignorant, or factious, or visionary men, laboring under the popular delusions with regard to capitalists and workmen, and their relations, as to wages and the causes of their inadequacy. Mr. Morrison thus indicates this cloud which hovers upon the political horizon, and which it is in our power to seasonably dissipate by the diffused beams of accurate knowledge, or permit to gather, and burst upon us in its concentrated fury and intensity :—

"The growth of the democratic element, whether directly by the lowering of the qualifications for the suffrage, or indirectly, through the moral influence of the masses, means the preponderance of the interests of labour, over the interests of property. If then the working classes, or that portion of them, whose superior intelligence and activity tend to make them the representatives of the rest, very generally believe, that the rate of wages and other arrangements between themselves and the other classes, are unfair and disadvantageous to themselves, and that a better state of things is attainable, it is natural that they will use both their legal right or their actual, though not legally recognized power to attain it. And as their whole condition, and that of their families, and almost their daily bread are at stake upon the results of such an attempt, as any belief of the injustice of social arrangements which they may entertain, will be constantly irritated into indignation by the contrast which their own general poverty and frequent distress present to the immense masses of wealth amidst which they live, and as agitators will never be wanting to fan their smouldering passions into flame, it is to be expected, that they will bring to the struggle a greater intensity of excitement than is seen in the most animated of merely political contests. If then they should entertain erroneous ideas upon such subjects; if they should attribute to the faults of individuals or of social arrangements, those evils of their condition, which are in fact, the result of inevitable natural laws, or of their own conduct; if they should believe that these evils are to be remedied by measures, which are in truth, unjust, impracticable, and pernicious; it is difficult to over-rate the amount of mischief and confusion which they may produce, by acting upon such views before they shall be finally undeceived on all those points."

Before entering upon some of the principal questions which at present are chiefly in agitation, let it not be supposed that we wish all those bounties and charities, in which the humane delight to relieve suffering and want, should be relinquished, either for writing or publishing tracts on social, political, or any other kind of economics. Far be it from our intention, that people in caring for the masses, should overlook individual misery. What we would impress is, that to effect any permanent improvement in the laboring population as a class, to raise the condition, not of an individual, a family,

or even a trade, but the most extended section of our population, the great mass of God's creatures, it will be necessary to communicate to them the knowledge of the principal laws of demand and supply, of competition, of population, and consequently of wages. It may be sneeringly remarked by the careless observer, will your teaching the people those matters, give them bread and meat, or raise their wages, so as that they may live in some kind of comfort? Certainly not, if they do not act on their knowledge. If, however, their course is pointed out to them, a perfectly feasible one, though not without those difficulties and self-denials, from which few in this world are free, if their reason tells them it is possible, and that their self-elevation will be the result, if they neglect those rules they will be the sufferers, for it is upon themselves they must depend; but those who are superior to them in education and position, whose duty and inclination alike direct to exert every possible effort to ameliorate the condition of their humbler fellow-men, will have performed their part, and all that is in their power.

Wages, on which the laboring class must entirely rely for their support, and on which are based all schemes for elevating their condition, form the most important branch of political economy, and are, at the same time, regulated by a few simple and great fixed rules. Independent of the loss to the laboring class occasioned by strikes, from which there has been lately considerable misery, the country at large suffers very evidently from the stoppage of trade, and the loss to both the employers and the employed is most ruinous. If those principles which regulate the laws of wages, and their rise and fall, were more generally known and understood, the evil which, now that we are suffering from it, presses on our attention, would be considerably mitigated if not entirely removed. Wages, taking the laboring population as a mass, is the sum applicable to their payment for their daily work. The fact that from skilled mechanics and tradesmen, down to farm laborers, there are different rates of payment, cannot be brought into the consideration of the general rate of wages of the class. It is clear that the sum to be received by each individual will depend on the extent of the total sum applicable for that purpose, (which may be called labor capital,) and the number amongst whom it has to be divided. Small figures will most easily illustrate the proposition. If there are in a

community 100 of the laboring class, and that amongst those there is a labor capital of £3,000 to be expended annually, each man receives, *cæteris paribus*, £30. If the sum be reduced to £2,000, each man will have but £20, and if with that sum of £2,000 as capital, the members of the laboring class should be increased to 150, each person will receive but £15. No capitalist keeps his money fruitlessly lying in a chest. He invests it in the funds, in land, in manufactures, or in trade. In all there can be sunk but a particular sum varying occasionally in amount, as money is scarce, or otherwise. If the capitalist buys into the funds, he forces the same amount out to be employed in some way or other,—so if he buys land or house property. What remains unsunk, (we wish to make use of the most popular phrases,) must be employed in order to remunerate its owner. His capital is engaged either in trade or manufacture directly by himself, or by its finding its way there in loans. In some method it must come to either one or the other. In order to carry on trade or manufacture, it is necessary to have a building suitable for the purpose, machinery, tools, implements of trade, &c., and the raw materials to be worked on as well as the labor of the workmen. Now to these all unsunk capital must come. The holder considers how far his capital will clearly enable him to go, and to what extent, and as far as it can, he will of course push it for his own advantage. He then necessarily invests part of his capital in the building, machinery, &c., another part in the purchase of the material to be manufactured, or worked upon, whether it be cotton to be spun, or copper, or iron in a mine, the remainder he invests in labor, i.e., pays away in wages. This sum will bear a certain proportion to his entire capital, and the greater that capital, the larger the sum to be thus expended. Now it is evident that the larger this sum, the better for the laboring class; and that in order to secure good wages their only care must be to guard against the supply exceeding the demand, or in other words, to keep their numbers from increasing to such an extent, as to diminish unduly the share of each person. In order to have good wages there are but two requisites, general prosperity, and brisk trade, which will give a large labor capital often turned; and some of that prudence which is observed by the other classes of society, in not entering upon the responsibilities of the married state, without making some

provision, or having some rational prospect of being able, to support a wife and family in decency and comfort. From those hasty, and most numerous marriages, which bring together two people who are with difficulty able to support themselves, and are living from hand to mouth, the consequences to those individuals must be to rear a pauper family, and to struggle continually with want and wretchedness, without any of the comforts, and scarcely the necessaries of life; whilst the consequences to the community are, they bring into the market a surplus population, who *must*, as a matter of course, depress the rate of wages by increasing the supply to the labor market. It is necessary that all should understand that competition is, and can be the only means of regulating the value of every commodity, whether corn, or manufactured goods, or labor, or capital. The attempts to furnish substitutes for the universal application of that principle, are utterly artificial and must fail. All schemes for adjusting the price of commodities or the rate of wages, when pushed to their full extent, will be found either unavailing or requiring a monopoly, a system which the sense of the present day has entirely exploded. Mr. Morrison, in his chapter on Supply, Demand, and Competition, thus describes, with brevity and clearness, the mode in which competition gives the fair, and at the same time, the highest price for the marketable article, whilst doing justice to the buyer:—

"When a number of individuals are competing against one another for the sale of some commodity, which they are desirous of disposing of, the market price to which their competition tends to bring the commodity, is that rate at which the whole of the commodity offered for sale, will absorb the whole of the funds, with which buyers are there and then able and willing to purchase it. However needy and eager the sellers may be, their competition will not reduce the price below this rate, unless temporarily and accidentally. For if a lower rate were established for a time, the whole of the commodity would be paid for only with a part of the funds, which by the supposition are seeking for investment in it, and the owner of the surplus funds would in their desire to obtain a share of the commodity, bid against the rest, and so raise the price. Of course, the case might be different if there were only one buyer, or if all the buyers should combine together, and strictly adhere to their combination. In either of these cases, the single buyer, or the combination of buyers, might

offer such a price as would enable them to command the whole of the commodity with a part of their funds ; and the sellers might thus if less skilful than their customer, or more pressed to sell than he was anxious to buy, be forced to sell at a lower rate than the ordinary law of competition would produce. But as this cannot occur where the number of buyers, as well as of sellers of any commodity is great, and this is the case in all the important commercial dealings of large and civilized countries, the market price of commodities is in them determined by the natural law of competition.

"The market rate which competition in this way tends to establish, is the highest rate which it is from the nature of the case possible for the sellers to receive for the commodity, at the particular time and place. For at that rate as has been seen, all the funds applicable to the purchase of the commodity, will be exhausted in paying for the whole quantity of it which is for sale. If any higher price could be fixed by the prevention of competition, and the substitution of some other mode of regulating prices, all the funds would be exhausted in paying for a part of the commodity, and the possessors of the remainder would receive nothing at all. There would be no remedy for this, but either an increase of the funds, or a diminution of the quantity of the commodity, proportional to the supposed elevation of the rates. But if such an increase of that one, or diminution of the other were effected, competition would determine just the same elevation of the rate, without the necessity for any regulation at all. The market rate established by competition is therefore necessarily the highest rate, which the sellers could obtain under the circumstances by any mode of dealing."*

Every observation, every word in the passage here quoted, applies to labor. Rates arbitrarily fixed by Governments, (if Governments should be so unwise as to interfere,) or by combinations of the working class, if above that which competition fixes, must throw a greater or lesser number out of employment as the funds at the increased rate are insufficient to pay all. An ignorance of this great fundamental truth, that competition must regulate the prices of labor and commodities, independent of the fact, that on one side there may be ignorance and want, and on the other, intelligence and capital, is the cause of so much deep-rooted and mischievous prejudice, of so many fallacious and worthless,

* Page 14.

nay more, dangerous theories, that we cannot part from it without quoting a passage from Thiers' *History of the French Revolution*, descriptive of the ultimate futility of Government intervention, and the troublesome and ruinous devices that must be resorted to, every one step proving useless without another, the second without a third, and where the interference is to stop, impossible to say. The experiment was made under the most favorable circumstances, at a time when power was in the hands of those who legislated for the humbler classes, and as they professed, for them only; and who were ready to sacrifice any party or section of the community, no matter whether justly or unjustly, whether honestly or otherwise, for the benefit of the masses. The extraordinary issue of assignats, or billets de banque, charged on the confiscated estates of the church, and of the emigrés, to defray the expenses of the State, in connection with the fears of a counter revolution, or a restoration by foreign interference, had caused a terrible depreciation in this class of paper money. The endeavours of the government to make them pass at any thing like par were vain; and as the people were complaining that the necessaries of life could not be procured notwithstanding the fruitful harvest of the preceding year, with these assignats (which were a legal tender,) and that according to their notions the speculators and forestallers were the only cause of the difficulty, which was really owing to the worthlessness of the assignats, and the want of confidence and credit, the Directory affixed a *maximum* on the price of corn; the commune of Paris adding its notice regulations to the decrees of the convention had moreover regulated the distribution of bread at the bakers' shops. No one was allowed to go to them without safety tickets; on these tickets delivered by the Revolutionary Committee, was specified the quantity of bread which the bearers had a right to ask for, and this quantity was proportionate to the number of persons of which each family was composed; even the method of being served at the bakers shops was regulated. M. Thiers writes:

"It had therefore been absolutely necessary, in spite of the Girondins, who had given excellent reasons, deduced from the ordinary economy of things, to fix a maximum for grain. The greatest hardship for the lower classes is the want of bread. The crops were not deficient, but the farmers who would not confront the tumults of the markets, or sell their corn at the rate of the assignats, kept away with their goods. The little corn that did appear was quickly bought up by the communes and by individuals induced by fear to

lay in stocks of provisions. The dearth was more severely felt in Paris than in any town in France, because the supply of that immense city was more difficult, because its markets were more tumultuous, and the farmers were more afraid to attend them. On the 3rd and 4th of May, the Convention could not help passing a decree, by which all farmers and corn-dealers were obliged to declare the quantity of corn in their possession; to thresh out what was still in ear; to carry it to the markets, and to the markets only; to sell it at a mean price fixed by each commune according to the prices which had prevailed between the 1st of January and the 1st of May. No person was allowed to lay in a supply for more than a month; those who sold or bought at a price above the maximum, or who made false declarations, were to be punished with confiscation, and a fine of three hundred to one thousand francs. Domiciliary visits were ordered, to ascertain the truth. Lastly, a statement of all the declarations was to be sent by the municipalities to the minister of the interior, in order to furnish a general statistical survey of the supplies of France. Meanwhile the rise in the price of articles of consumption, which had led to the maximum, was general for all commodities of the first necessity. Butchers' meat, vegetables, fruit, groceries, candles, malt liquors, articles of clothing, and shoe leather, had all risen in price, in proportion as assignats had fallen and the populace were daily more and more bent on finding forestallers where there were only dealers who refused a money that had lost its value.

It was therefore requisite to do for commodities in general, what had been already done in regard to corn. A decree was issued which placed forestalling among the number of capital crimes. *He was considered a forestaller who should withhold from circulation commodities of first necessity without placing them publicly on sale.* The means of execution of such a decree were necessarily inquisitorial and vexatious. Every dealer was required to render a statement of the stock in his possession. These declarations were to be verified by means of domiciliary visits. Any fraud was, like the crime itself, to be punished with death. Commissioners appointed by the communes were authorized to inspect the invoices, and from these invoices to fix a price, which, while it left a moderate profit to the dealer, should not exceed the means of the people. If, however, added the decree, the high price of the invoices should render it impossible for the dealers to make any profit, the sale must nevertheless take place at such a price as the purchaser could afford. Thus in this decree, as in that which ordered a declaration respecting corn and a maximum, the legislature left to the communes the task of fixing the prices according to the state of things in each locality. It was soon led to generalize these measures still more, and in generalizing them more to render them more violent.

We have already seen how the discredit of the assignats and the increased price of commodities had led to the decree of the maximum, for the purpose of restoring the balance between merchandize and money. The first effect of this maximum had been most disastrous, and had occasioned the shutting up of a great number of shops. By establishing a tariff for articles of primary necessity, the

government had reached only those goods which had been delivered to the retail dealer and were ready to pass from the hands of the latter into those of the consumer. But the retailer who had bought them of the wholesale dealer before the maximum, and at a higher price than that of the new tariff suffered enormous losses, and complained bitterly. Even when he had bought after the maximum, the loss sustained by him was not the less. In fact, in the tariff of commodities called goods of primary necessity, they were not specified till wrought and ready to be consumed; and it was not till they had arrived at this latter state that their price was fixed But it was not said what price they should bear in their raw form, what price should be paid to the workmen who wrought them, to the carrier or navigator who transported them; consequently, the retailer who was obliged to sell to the consumer according to the tariff, and who could not treat with the workman, the manufacturer, the wholesale dealer, according to that same tariff, could not possibly continue so disadvantageous a trade. Most of the tradesmen shut up their shops or evaded the law by fraud. They sold only goods of the worst quality at the maximum, and reserved the best for those who came secretly to pay for them at their proper value—forced means leads to forced means, as we have elsewhere observed. In the first laws attention had been paid only to wrought goods. It was now necessary to consider the subject of the raw material, nay the idea of seizing the raw material, and the workman, for the account of the government, began to float in some minds. It is a formidable obligation that of doing violence to nature, and attempting to regulate all her movements. The commune and the convention were obliged to take new measures, each, according to its respective competence.

The commune of Paris obliged every dealer to declare the quantity of goods in hand, the orders which he had given to procure more, and the expectations which he had of their arrival. *Every shopkeeper who had been in business for a year, and either relinquished it or suffered it to languish, was declared suspected, and imprisoned as such.* To prevent the confusion and the accumulation arising from an anxiety to lay in a stock, the commune also decided that the consumer should apply only to the retailer, and the retailer to the wholesale dealer, and it fixed the quantities which each should be allowed to order. Thus, the retail grocer could not order more than twenty-five pounds of sugar at a time, of the wholesale dealer; and the tavern-keeper not more than twelve. It was the revolutionary committees that delivered the tickets for purchasing, and fixed the quantities. The commune did not confine itself to these regulations. As the throng about the doors of the bakers still continued the same, as there was still the same tumult there, and as many people were waiting part of the night to be served, it was decided at the suggestion of Chaumette, that those who had come last should be first served, but this regulation diminished neither the tumult nor eagerness of the customers....The convention urged to reform the law of the maximum, devised a new one which went back to the raw material. It required that a statement should be made out of the cost price of goods in 1790, on the spot where they were produced. To this

price were to be added in the first place, one.third, on account of circumstances; secondly, a fixed sum for carriage from the place of production to the place of consumption; thirdly and lastly, five per cent for the profit of the wholesale dealer and ten for the retailer. Out of all these elements was to be composed for the future, the price of articles of the first necessity. The local administrations were directed to take this task upon themselves, each directing that which was produced and consumed within it."*

It should be borne in mind that those extreme measures which, unless in a completely disorganized state of society, could not for a moment be tolerated, were not the arbitrary and unmeaning tyranny of men in power, who had nothing to lose, but the necessary steps for attaining their object, or rather for carrying out their projects.

Political Economy condemns strikes. We do not however, assert that laborers have not a right to strike, and combine. It is because they injure themselves thereby, because they injure their employers, because they interfere with the progress of the nation and the accumulation of capital, which must exercise a beneficial influence on the people, that strikes are to be condemned. We recognize the right of property in labor as in capital, and though we should and must disapprove and condemn the conduct of the man who locks up his capital in bullion in a chest, or who with physical and mental energy to work, remains idle, inflicting injury on himself, and on the community, we should never think of denying his right to adopt either course. Neither would we go the length of asserting that from local circumstances or the peculiar position of some trade, that in particular cases workmen might not receive as much wages as they would be fairly entitled to, from some combination or understanding amongst employers: what requires to be known is the fact, that a general system of combination for the purpose of raising wages must be as futile as for a man standing in a basket to attempt to raise himself and it; further, that the working man should understand the cost at which he strives to effects his object. If before the recent changes in the law, which have rendered legal proceedings less costly, a few pounds were due by A. to B. on foot of a very long and intricate account, it would have been perfectly right and just for B. to have sued A. to recover this balance, but it would be another matter as to the prudence of such a course, when even if B.

* See Theirs' History of the French Revolution. Shoberl's translation, Vol. III.

succeeded after a great expenditure of time and money, and at considerable annoyance to himself, the costs between attorney and client would equal if not exceed the sum recovered. So it would be indeed difficult for one or several capitalists in a particular manufacture, to trench upon the share of the working man and add unduly to the fair remuneration for the employment of capital and skill, as the competition between capitalists would then intervene to remedy this evil if they found that extraordinary profits could be realized in that manufacture, from any cause, whether curtailment of the fair rate of remuneration by the employers of a locality or otherwise, and they would hasten to embark their capital in that particular branch of manufacture, and thus increasing the demand for that species of labor, bring wages to their fair and just level.

In order to estimate the cost at which a class of laborers engage in a strike, to remedy some temporary local injustice, (we have already shown that a permanent and general depreciation of wages can only be effected by the demand and supply,) it is necessary to take into account not alone what they lose by spending their earnings and wasting their time, which is their sole capital, but also the loss to their employer, and the general injury to and depression of the trade, which indirectly inflict on them an additional loss. The capital which has been squandered uselessly instead of increased by additions to it, is a detraction from the funds applicable to their payment. If £1000 represents the labor capital of a particular branch of manufacture, and if instead of adding to that capital as a successful year of trade would, some fifteen or twenty per cent. on that sum, (for the capitalist must be remunerated for the sunk capital, which may be as much again, probably a great deal more than *the labor* capital,) and this calculation is independent of the savings which must be expended for their support during the strike—and if the manufacturer, in consequence of the stoppage and disarrangement of his business is able to turn his capital but twice instead of three times in the year, those laborers will have to divide amongst them for the year, for wages, but £1000, twice multiplied, instead of upwards of £1150, or thrice £1200. True, a partial strike of this kind, and of a particular class of laborers, may not indirectly effect them to this extent, as from the general prosperity of the remainder of the community, their employers may procure capital on loan, to make up that deficiency, and the

depreciating effect of this loss of capital, when extended over an entire kingdom, may be hardly perceptible. The mischief is not, however, the less an evil because it is only partial, and if the working classes generally understood, that to a very great extent though not directly, every individual in the community is interested in the prosperity of his neighbour, and in the general accumulation of capital, from which he must receive more or less benefit, it would lead to a very healthy state of public opinion, and materially advance the great question of the moral and social elevation of the masses of the population. It may be, as we have already stated, that from peculiar causes a partial and temporary injustice may be inflicted on a particular class of workmen, and the threat of a strike may bring their employers to concede such an increase of wages as the circumstances of the trade can properly afford, and in this view and to this extent a peaceably conducted and legal strike may be usefully exercised.

In order to obtain the confidence of the laboring class, and to disarm designing or ignorant leaders, it is necessary to state the case as favorably for them as possible. We do not wish to touch upon those topics in a party spirit and for party purposes. All sections are now agreed as to the propriety of educating the people. To the liberal then we should say, it is part of your principles to do justice to the masses; to the conservative we would say, by properly instructing them, by elevating them, and by thus giving them means and comfort, you may make them conservatives, conservative in the best sense as to every thing worth preserving in our institutions. Any attempt to understate their rights would be as futile as it would be culpable.

There is one proposition advanced by Mr. Morrison, to which we cannot entirely subscribe—that even if men do not receive directly, as an increase to their wages, a full share of the increased profits of the capitalists, they are equally benefited eventually. He writes:—

"If the working men do not obtain directly and immediately as an increase to their wages, a full share of the increased profits of the capitalists, the increase in the latter is in fact applied to a very great extent to purposes which are ultimately as beneficial to them. When the tide sets in favor of a particular trade, after a period of depression, part of the increased profits of capital serves to fill up the gaps that have been occasioned by selling at a loss goods made for the sake of

keeping the hands employed, or by the capitalists living upon their capital. A large part of the surplus beyond this is sunk in additions to fixed capital, which are almost entirely discontinued while trade is bad. Mills are erected, machinery made, and all the stock of all other kinds of fixed capital augmented. Another part of the profits serves to augment the floating capital out of which wages are paid. It is principally after these two kinds of capital have been increased out of the accumulation of profits, that the law of the dependence of wages upon the proportion between the numbers and the fund for their employment, would lead us to expect considerable advance in wages. Accordingly if the prosperity of trade continues, a material advance of wages usually does then take place."*

Although it is clear that such accumulated capital of the employer is favorable to the workmen, as increasing the fund for the payment of his wages, it by no means follows, that in that way, perfect justice is done him, unless it be assumed, that on no occasion, and under no circumstances, is the rate of wages of a particular class, less than it should fairly be without the exercise of management on the part of the employers. If it be conceded, that part of what is the workman's due is engrossed by the capitalist, (the hypothesis on which the assertion is made,) although it follows from the increase of capital, whether in the hands of the employer or employed, that the rate of wages will be equally raised, yet the property in that capital should be in the laborer, and not the capitalist. If the capitalist should by any means be for a time enabled to deduct 5 per cent. from the sum to be paid and fairly payable as wages, that 5 per cent. on £100,000, although it must benefit the laborer by increasing the labor capital of the country, yet he does not receive thereby all that he is entitled to, as he should also receive the profits made on the £5,000 capital, which has been misappropriated. We call attention to this, as we deem it necessary in any attempt to instruct the laboring class in these truths, that they should be fully informed of their rights; and again, in order that no false reasoning should be employed to satisfy them of what may be the fact, (although requiring to be otherwise proved)—that perfect justice is done them.

It is not less remarkable than true, that the middle class

* Page 108.

is the only provident one in the community, and that the great bulk, almost the entire of the accumulating capital of the country is furnished by its savings. The amount of the annual savings of the trading and manufacturing classes has been estimated, by competent authority, at 35 millions, or one third of their annual income; while that of the entire country is but 50 millions. When middle class is spoken of, all those who do not belong to the considerable landed gentry and nobility on the one hand, or to those supporting themselves by bodily labor on the other, are meant. Comparing this with the statement, that after excepting wine, brandy, and the more expensive manufactured tobaccos, such as are not consumed by the laboring class, £53,411,615 is annually spent on rum, gin, whiskey, beer, porter, tobacco and snuff; (and of this we should surely be within the mark if we state that two thirds, or about 36 million, is spent by the laboring section,) it will readily be seen how difficult it is for them, with their present improvident habits, to raise themselves as a class. Now from these few and general truths of political economy, and the figures above stated, one may perceive at a glance, to what causes we may attribute the lowness of wages, and the general want, misery, and degradation of the laboring community, and how much of it is, (we should not say their own fault, as they are ignorant,) but traceable to themselves. The essentials for their material comfort are capital, a population proportioned to this capital, and habits of reasonable providence and thriftiness. Of these, the two latter are entirely in their own hands, and from the thinning of the population caused by recent years of famine and disease, and the steady drain of emigration which have formed such a proportion between the amount of labor capital in the country, and the number among whom it is to be divided, as to give every individual of that class the means of living comfortably and saving a little, a fair opportunity is now presented for permanently and generally raising that condition, and putting successfully in practice those rules of self-denial and providence, by which alone they can be elevated.

As we are of opinion that the excessive improvidence and foolish expenditure of the laboring classes, on those stimulants which are purely luxuries, proceeds as much from hopelessness of their permanent amelioration, as do their hasty and ill-considered marriages from ignorance of the consequences to their class, we

believe it necessary to place before them an ideal condition to which they may attain, not the utopia of dreamers and speculators, but the position which careful, hard-headed, practical men think, and can show them, is within their reach, if they be but just to themselves, and if they follow the example of that middle class, which is continually before their eyes. If the working man, receiving as he now does good wages, were to commence saving, as he may from his earnings, (the fact that his class spend thirty-six millions annually in superfluities shows that he *can* do so) and if he were to wait until he had put together the means of providing a comfortable home for his wife, and until he had reason to expect from his wages, that he would be able to bear the additional burthen of a family, his savings, insignificant as the sum might be, when added to those of his fellows, would amount to a vast sum in the hands of the class, (it must be remembered always, that we are writing of the entire working population as a body,) and tend sensibly to increase his present wages. His prudent tardiness in marrying would have the effect of still further increasing his wages, by raising the value of labor from its scarcity, and co-operating with his savings, would allow him either to compete with his employer, or obtain a share in the concern; the increase in his wages would enable him to shorten his hours of work somewhat, and leave him still more leisure than he now has, for the cultivation of his mind, and for the enjoyment of rational amusements. His manners and habits would become more refined, his intelligence more expanded, and thus the great gulf which now separates him utterly, in thought, in feeling and in habits from those above him, might thus be filled up; he might become more independent and more respectable, and knowing and respecting his own position, more uniformly respectful though less subservient to his superiors; he might present in his dress, and demeanor, and in the substantial comforts of life, less difference from his more wealthy fellow-countrymen, than that which now exists between a respectably educated tradesman, and an earl with annual rent roll of £30,000.

If the "labouring part of the community were raised to the position which has been here attempted to be represented," Mr. Morrisson observes very correctly, "their condition would not only be a great improvement upon their present circumstances, but it would probably be upon the whole, and for the majority of human characters, the condition most desirable in itself.

That neither idleness, luxuries nor expensive vanities and tastes, are required, for happiness—that the man who has comfortable diet, clothes, and lodging, freedom from oppression, and a moderate share of leisure and means for mental improvement, has as good a chance of happiness as external circumstances can furnish him with—are trite and admitted maxims which are not the less true and important, because they are ignored in most men's practice. Looking to man's animal structure, physiologists would certainly pronounce that a very considerable amount of muscular labour is conducive to its perfect action: and looking to his double nature it is hardly less certain that much occupation of the body in useful labour, is a great prevention and cure for manifold disorders of his moral being."

This restraint upon marriage and required abstinence from stimulants, are generally treated as chimerical, and in enjoining them political economists are upbraided with reasoning upon human beings, and laying down rules for their guidance as if they were mere machines. Those who cannot deny that by these means the condition of the working classes would be improved, say, nevertheless, with a very great appearance of truth, that it is not possible by unnatural means of this kind to effect the object, and that it is asking too much from the laboring people. Let us see how far this is correct. If men in the middle class of life who might naturally expect and require greater indulgences than the working classes, set the example of self-denial, surely it cannot be too much to ask the laborer to follow the same course. We have not, (nor are we aware of any) statistics as to the number of marriages which take place amongst the middle class, nor what are the average ages at which people in that condition of life enter on the duties and burthens of matrimony; but it is the experience of every person, that the rule with the middle class is not to marry, not alone until they have the means of maintaining a family in their own condition of life, with comfort and respectability, but that men of that class generally have raised themselves considerably before they think of marriage; and that marriage is exceptional amongst those young men who are employed in extensive establishments, as clerks, or shopmen, unless at a mature age, and when they are in the receipt of a considerable salary. We would venture to assert that while the great average of marriages amongst the men of the working classes has been under five-and-twenty

years of age, that of the middle class has been at over thirty. If we look about us, and back for some ten or fifteen years, what do we find? In the first place, of the employés of the middle class, a married man is but very seldom seen. The young men engaged in shops may be divided into two classes, those who succeed in the world by thriftiness, industry, and good conduct; and those who remain stationary, expend their salaries on amusement and dress, save nothing, and pass their lives in the employment of others. This latter class rarely marry The general course of the former is to save a little, and but little it can be from their salary, slowly and painfully, denying themselves many things, and uninfluenced by their gayer companions; their industry and attention to business attract the notice of the master, and small increases are made in their salaries; this goes on until they are between thirty and forty, when having amassed a few hundred pounds, sufficient to purchase the goodwill of some shop in their own business, and introduced by their masters, (when they can no longer be induced by promises of still further increased salaries to remain in service,) to the wholesale merchants of their trade, who upon their character, and the recommendation of their late employers, will give them on credit whatever goods they may require, they start in life upon their own account. If, as is generally the case, they find themselves thriving in their business, they then for the first time think of marrying, and are not alone able to support their families in a condition of life better than their own originally was, but with a reasonable prospect of advancing them in the world. Political Economists have as much consideration for the laboring man, as any of those eager and short-sighted, though good-hearted people, who rail at a system which permits of want and suffering, and who would attempt to remedy the evil by some plan either futile or impracticable. Doubtless it requires a great deal of self-denial, and leads to much immorality, to prevent men from entering on the state for which they were designed by nature, and that they should pass those years in which the passions are strongest without gratifying them. It is, however, a choice of evils, whether they shall suffer the temporary self-denial, and thereby enable themselves to pass their earlier years, if without some indulgences, at least not in want, and the remainder of their lives in increased comfort and respectability,—or for a temporary gratification not alone struggle

during life with occasional, or frequent, want and suffering, but inflict the same evil upon their children. That it is not too much to ask, that it does not press too severely upon humanity, the example of those above them establishes. But from this rule even the humblest and most poverty stricken may escape. Emigration furnishes the means. By betaking themselves to those insufficiently populated countries of the new world, where labor is at a premium, where the necessaries of life are to be had at a cheap rate, and wages are high, they may (if they but save the few pounds necessary for their passage,) with confidence marry, without dread of that misery which the laboring classes of these countries have but too frequently experienced.

A temperance in, we will not write an abstinence from, the use of stimulants, is certainly not too much to ask. None can more fully appreciate the benefits of entire abstinence than we do, and the especial use it would be to those, a great part of whose savings are spent in the use of intoxicating drinks. It is not fair or just, however, unless absolutely necessary, for us to require a *total* abstinence from the working man, when there are in the middle and upper classes so few who practise it. When sacrifices and self-denials are required from the working man, we should like to point to those above him, and with whom there is not the same pressing necessity, and say, there, surely what A. and B. and C. can do to advance in the world, and make a provision for a family, you can do as steadily and wisely. Thus we can render lessons effective; thus answer the perpetual objection—that the plans of social reform of the Political Economists are very fine, if they were only tolerable by human nature.

Mr. Morrison, has devoted much attention, and evident consideration, to a subsidiary but still very important, and somewhat difficult question—a desirable means of investment for the savings of the working classes. Independent of the difficulties, which at present are almost insuperable, in introducing a peasant proprietary, he thinks, that for any fully populated country, a system of peasant proprietors, which is found to be productive of so much forethought, industry, and economy on the continent, would not be the most desirable, and in this we agree with him completely. It would be absurd to induce an artizan who has saved a hundred pounds, or thereabouts, to invest it in land. He would be unfit to cultivate the soil himself, and if he were fit, he would earn more by working at his

own trade, or manufacture: and although a system of small proprietorship in land would be a change for the better for our agricultural laboring class, it by no means follows that it would be the best. In the first place, it would be a loss to the community, as farming on a small scale is less productive and more costly than when carried on extensively, and there is, in small farming, a very considerable waste of labor. If we can get an agricultural population to pursue the same, or a somewhat similar, course of self-denial as the peasant proprietor, to observe similar temperance, similar habits of saving, similar prudence in marrying,—and to realize the means of becoming peasant proprietors they must have acquired these habits,—that extra time which as a peasant proprietor should be given to the land, the laborer may devote to the improvement of his mind, and to rational rest and recreation; the extra cost of carrying to market, the extra expenses of every kind incidental to small transactions in comparison with great, would afford the means of additional comfort or saving. The greater the quantity produced, the less the labor required in such production, the less the cost of required articles, the better for the community. If the workman should be anxious to invest his savings in a dwelling, where he might reside rent free, and this would be, in an improving state of the community, a very general and laudable wish, Mr. Morrison thinks that the most effective and satisfactory way for him to lay out his money to advantage, would be by clubbing, and having large houses built, somewhat on the plan of the model lodging houses, where each family could have allotted to them whatever space they might require or wish for, and a great many conveniencies which they could only command at considerable expense, if residing in a separate small dwelling, occupied entirely by such a family. It is well known that it costs an individual, say a working man, much more to build a cottage for himself, than the employer who would build a couple of dozen small dwellings, as many employers do, for the purpose of lodging their work people.

To the existing law of partnership, as we have already remarked in former numbers,* amongst other objections are the obstacles which it presents to the co-operation of the laboring class, as in America; this co-operation is by far the most attractive form which presents itself to the working man for investing his savings. From the difficulties which have been raised against any change in the law, and which like every other great boon to

* See IRISH QUARTERLY REVIEW, Vol. III., No. 12, Art. I., and Vol. IV., No. 13, Art. V.

the community may be withheld for many years, after which we, or our successors, shall wonder at the stupidity or the neglect which permitted a measure of such importance to be so long cast aside, we must take the existing state provisions for investing the savings of the humbler classes. We are satisfied that to do the working man full justice, and rescue him from the temptations of spending on present indulgence, the most attractive species of investment should be supplied him. To have a few pounds to his credit in a savings' bank, is a thing to be desired by him. We should, however, wish to give him an object suitable to his means and position, which would possess for him greater attractions than the exact sum which he can command. The attendant behind a counter has an ambition, and an object to save for—to stand in his own shop, and sell his own goods. It is thus through the different gradations of the middle class; the workman should have the means of turning his few pounds, should have something more to interest him, than receiving 3¼ per cent. per annum. A boy of twelve or fourteen, who has enough to eat and drink, and to dress himself, and has no care or fear for these things, as the workman in an improved condition of his class, would have no fear about procuring them; but if you want the boy to save his pocket money, you must give him an object for which he is to save it, other than the mere possession of the money. Whether it be a cricket bat, or a bow and arrows, or a gun, or a pony, if he can see that by economizing and saving his pocket money, any one of these things which he desires may be attained in a certain time, the money which would go weekly to the fruit woman and the pastry cook will be hoarded. It has been remarked that we are all but grown children, and without meaning to detract from the intelligence or sense of the laboring class, we should wish that some desirable as well as attainable object were set before them, to be gained by their self-denial and saving. The same nature that induces the school-boy to deny himself in order to procure a toy, actuates all, from the candidate for the wool-sack, to the man who is struggling to stand behind his own counter; until, however, some changes are made in our existing laws, it is impossible for the humble man to take part in any association either of his fellow-laborers by themselves, or with some other capitalists, for the purpose of carrying on that trade in which he is employed. Taking the

existing provisions for investing the savings of the working man, imperfect and unsatisfactory as they are in principle, we will find in them the most grievous neglect and mismanagement. With regard to the savings' banks, we think there is one terrible defect, one also of a kind likely to lead to the most disastrous consequences. In many instances it has been found that the funds have been made away with, and that the poor people who had placed their money there, never doubting for a moment that a bank constituted by an act of the Legislature especially for their benefit, would provide every necessary safeguard for their protection, and that they were guaranteed by Government for their stability, and seeing several of the wealthiest and most respectable people of the locality named as trustees or managers, yet have been robbed, through the neglect or misconduct of the officials. Independent of the grievous loss which such defalcations must have been to the depositors, and the misery which it must have entailed, important as those are, the injury which is thereby done to the class, and the demoralizing effect, cannot be over estimated. What can the people of that neighbourhood trust, when they find that some of their fellows who have been thrifty and self-denying, working late and early, refusing to join in the days of idleness and parties of pleasure, the daily pot of beer, and glass of spirits, and by these means have scraped together a few pounds, are robbed of their small earnings, and told by a Chancellor of the Exchequer, that Government has done all in its power, and that Government is in no way, and never was responsible? Why saving is a farce; what are we to do with it? Where are we to put it? If the savings' banks are not safe, what place can be? Let us enjoy ourselves, and spend as we earn; we may as well enjoy our glass and pipe, as pay our little savings into those places, to be robbed and laughed at. We have no hesitation in stating, without offering any opinion as to how far the Government had made itself legally liable for those banks, or with what success it may shift the responsibility from its own shoulders, that it was most discreditable to avail itself of these means to answer the clamors of the poor people, and that the guilt of those who permitted such banks to be organized, without taking the most jealous and extreme precautions for the protection of the poor and ignorant class for whom they were intended, is only equalled by the ill judgment which has juggled with the depositors. It

would be difficult to estimate the amount of harm which has been done; and if Government, by its restrictive laws deprives the man of small capital, whether it be five-and-twenty, or five hundred, pounds, of the means of satisfactorily investing that money, let it at least provide, and with all expedition, some place of deposit where the hard earned wages of toil may be safe. It would be impossible, within reasonable limits, to enter on the practical details of the many questions adverted to in this essay. We must then content ourselves with stating, while on this subject, that there are the seeds of much good in those annuities guaranteed by Government, and which seem to us to adapt themselves to the wants and wishes of the working classes. Although we fear that such investments will never become popular, yet if their regulations were better known, (and some steps for this purpose should be taken,) they would be very highly valued.

In treating of the question of Limited Liability in Partnerships, we have considered this question of investing the savings of the laboring class, and adduced trustworthy evidence as to the salutary effects, both in a moral and social point of view, which have followed from the associations of working men with capitalists in other countries, especially in the United States of America.

This question of co-operation has been very fully considered by Mr. Morrison, in his eleventh and twelfth chapters, and his views upon this, as upon most other topics discussed by him, seem to us very correct, reasonable, and fair. In entering upon the subject, he takes care that the co-operation which he refers to, and which is the associating of capital or labor, or both, by the working men, for the purpose of engaging in trade, which individually their funds would be quite inadequate for, should not be confounded with the communistic notion of co-operation, which is as impracticable as all communist theories—that all the members of a community should work for the common benefit, without possessing, or being able to possess, any private property. Co-operation, in its proper signification, means nothing more than the extension of the partnership principle. It interferes in no way with the rules of Political Economy, or in other words, with the natural laws which regulate human industry and capital. The different species of co-operations may be divided into four classes. Those in which the employer furnishes all the capital, paying

a fixed minimum rate of wages, and dividing the surplus profits, after the payment of all expenses and interest on the capital engaged, between himself and his work people, in some proportion previously agreed on. Secondly—Those in which the workmen should be possessed of some small funds which they should put into the business with their employers' larger capital, who should continue to manage the business, and for which they should receive, according to the amount of their share, a proportion of the profits in addition to their wages, as now paid. Thirdly—Where the working men should associate themselves with a capitalist who would be a dormant partner, and they should conduct and carry on the manufacture by themselves. And lastly—Where they should carry on the business without the intervention of either an active or dormant capitalist partner, upon their own associated funds. Although we should agree with Mr. Morrison, in thinking that the most desirable form of co-operation is that in which the workmen should continue to receive their wages as at present, with liberty to embark their savings in the carrying on the trade, and to receive a share of the profit, yet we must hold that he has not considered with sufficient favor the case in which the working man, who possessed no savings, and was thus unable to have such a direct interest in the profits, as would require no education to teach him the advantage of, should receive some low rate of wages such as would barely suffice for his maintenance, and at the end of the year, such a share of the profits as might be mutually agreed on.

It is true that there would be many difficulties in carrying out this plan, and many objections may be raised to it. We think, however, that Mr. Morrison has over-estimated the draw backs, and under-estimated the advantages of such a system. It is admitted that with clerks and shopmen of superior intelligence and character, whenever it has been tried, it has been found to answer well for both parties, and to adjust without any trouble the rate at which such zealous and attentive employés should be paid. Although it cannot be denied that the share of each individual, when there are a great number to be paid in this way, must be very small, and consequently the stimulus to attention and industry little or none in proportion with that which is imparted to the head clerk or shopman; yet it must have a very considerable effect upon a man, especially when it is borne in mind, that a pound is of as

much importance to the laborer as five or ten are to the clerk. Nor is the advantage to the manufacturer to be confined to each individual exerting himself, but the surveillance which men would keep over each other, the anxiety to let nothing go to loss or be injured, the feeling of *identity of interest with the employer*, must be taken into account. The chief objections urged to this species of co-operation are the difficulty of fixing on the proportion of profits to be received by such laborers, the trouble of getting rid of an individual who has an accruing interest in the profits of the year, the likelihood of undue interference on the part of those who would be, according to our existing law, partners in the concern, and the irksome necessity of communicating the whole affairs of the business to such a number, for the purpose of satisfying them as to what the profits of the year really amounted to. Now the first, which is really the great difficulty of all these cases, and one the most severely felt by a capitalist, might be dealt with in the same way as if a capitalist were about lending money to a number of working men to carry on business while he himself should remain a dormant partner. A certain rate of interest say five or six per cent. might be in the first place guaranteed, under all circumstances to the capitalist. It might then be agreed on, what proportion of the profits he should receive, although in arriving at a conclusion upon that subject, some difficulty might be found; we think that the working man would be liberal in coming to an arrangement, and the guaranteeing of a fair rate of interest would put the capitalist in a position to say what additional remuneration he should receive for the use of his capital. Again, the improper interference of some of the ill-disposed workmen, and the assertion of their rights as partners, might very easily be made the subject of legislative provision, abrogating our present inconvenient rule of partership, to that extent, and depriving such men of the privilege which they would now have of bringing the whole firm into Chancery, to compel an account if their claim amounted to but £5. The taking of the annual accounts might be delegated to some three of their number, to be elected by all for that purpose, whose auditing should exclude all question. The difficulty, however, that strikes us, is not so much the inconveniencies attending such a system, but the fact that from the existing law of partnership, which interferes with the association of

small capitals, the large capitalists possess undue advantages, which they never will be parties to deprive themselves of, and without their aid such a scheme would be utterly futile. It is true that amongst them there are as benevolent men as in any class of the community, and men who would do a kindness to the needy and deserving; but as a matter of business and worldly prudence it is not to be expected that they should be active in depreciating the value of their own property, or depriving themselves of power. In those cases in which the workmen should be at liberty to invest their savings in the business conducted by a managing capitalist, the great difficulty of ascertaining the proportion in which the profits were to be divided would be entirely avoided, as the proportion of each individual investing would be that which the sum invested by him bore to the entire capital employed. We agree fully, that this is by far the most desirable, as well as the most feasible of the several modes of co-operation suggested, and a short bill enacting that no stipulation for a payment to workmen of a share of profits, either as wages or in the shape of interest on the money invested by them in a concern, should entitle them to the interest and remedies of partners, but that all differences between them and their employers should be settled in the mode which might be agreed upon by deed to be subscribed by the parties, would enable such associations to be formed. As we have already stated, the test of experience in other countries, especially in America, has proved such co-operations to have had the most gratifying results. It is sufficient to refer to the well-known mills at Lowell, in the United States, and the condition of the workpeople there.

The carrying on of manufactures by working people with borrowed capital, which is in our opinion open to the same objection as that of the association of the working people with their own funds—viz.: that in large manufactures for the conduct of the business, there is such an experience, such business abilities, such rapidity of action, such foresight and decision necessary to carry it on, and compete successfully with other manufacturers, as could not be hoped for either from a managing body of the working men, or the individual they would be likely to select. This mode has been tried in Paris and proved almost a complete failure. At page 121, Mr. Morrison gives the following extract from the *Constitutionnel*, of August 21st, 1852:—

"The sum voted by the Assembly was 3,000,000 francs, but was afterwards reduced to 2,950 francs. The number of associations among which this was divided was 56, of which 30 were in Paris, and 26 in the departments. Out of the 30 in Paris, 27 were contracted between workmen only, and 3 between masters and workmen; while in the departments 15 were between masters and workmen, and 11 between workmen only. It is therefore among associations of workmen only, that the plan has been for the most part tried. The 30 Parisian associations comprised 434 members. Out of this number, 194 were formed into 6 associations, which received 178,000 francs, while the 240 others formed 24 associations, which received 612,000 francs; these sums represented 922 francs per head in the former case, and 2,250 francs in the latter. There was one association, that of shawl manufacturers, which had only 18 members, which received 200,000 francs, or at the rate of 10,000 francs each. Out of the 26 associations in the departments, the 15 which were between workmen and masters, absorbed on an average 80,000 francs each, the 11 associations between workmen, received 48,000 francs, of which 300,000 francs were granted to 2, composed of silk-weavers, at Lyons. What is now the situation of these 56 associations, to which such advantageous conditions were granted, from whom, only 3 per cent. was demanded, when the loans did not exceed 25,000 francs, and 5 per cent. when they were more considerable, who were only subjected to an annual reimbursement drawn over a period of, on an average 20 years, and managed in such a manner as to bear only very lightly on the first years of the undertaking?

Some have swallowed up their capital without producing any useful work: others have succeeded in selling some goods, but in such small quantities that the general expenses have not been lowered, and in both cases the affair has been a failure. Others it is true present inventories where the profits and losses about balance, and even where a slight profit is shewn, but unfortunately, there are many illusions in the calculations. What proves besides that all these associations are not prosperous, is that very few among them enjoy any private or personal credit. Towards the middle of 1851, 18 establishments which had received 589,000 francs, had ceased to exist, viz.:—10 in Paris, representing 142,000 francs and in the provinces representing 447,000 francs. Thus after a first campaign, 18 establishments of 56 were already hors de combat; since that period 12 fresh revocations of loans have been made, amounting to 365,000 francs; 8 in Paris, for a sum of 202,000 francs; and 4 in the departments for 163,000 francs. Thus 30 establishments are in a state of dissolution."

On the other hand, we have a favorable account of the working of such an association in London; an association, however, rather for the purposes of a retail trade, than of a manufacture, and, therefore, not needing those requirements for its conduct, that more extensive establishments would demand. In the early part of the year 1850, an association of benevolent persons subscribed a sum of £300, to enable a

number of journeymen tailors to work on their own account, and thus assist to relieve the distress of that class of artizans, who were then suffering considerably from their labor market being overstocked. The manager of the institution was examined before the Committee of the House of Commons, which sat in 1850, for the purpose of inquiring into the subject of investments for the working classes, and gave the following favorable account of the progress of the association:—

"580, Chairman.] You are an association of a number of working tailors, are you not? There are at present 34 of us; when we commenced there were but 12, about three months ago. It will be recollected that those letters which appeared in the Morning Chronicle on labour and the poor, created a very great impression on the public mind; and a number of gentlemen, well-disposed towards the working classes, met with a few working men, and the question was asked, 'what can be done not only to rescue the working classes, but to shew them what they can do themselves, by unity and sobriety?' And believing that the principle of association was a sound one, a house was taken, a committee was formed, and a certain amount of capital was guaranteed for the use of the association, £300, that was all the capital. We issued an address to the public; the public responded to that appeal, and we had a number of friends who were our first customers, and gradually we got beyond the circle of our friends. We have got a great portion of the public, and the working men of different trades come to us in large numbers. Though we have been only three months at work, at the end of that time we found that we had a clear profit of £77 after paying all expenses, and paying the workmen good wages. That £77 we divided into thirds, one third went towards paying off the capital we had borrowed, the second third to the increase of the stock, and the next third was divided among the workmen at the end of three months. The difficulty we feel, however, is this, that money was lent to me, and I am the party responsible, I gave a bill of sale and I am the responsible party. The workmen are not responsible, they might break the laws, and there is no legal power that could hinder them, that is as we understand it at present. They say we are quite willing to work together; we are willing to invest our savings to strengthen the association, and to assist other associations, but we think that working men ought to have a security when they have done, so that one bad man or some bad men shall not take the advantage which the law now offers to rob them of their savings.

581. You want a mode which shall prevent any of those who may turn out from taking the property of the association as partners, and shall make them amenable to the law? Yes.

582. You want also to have the power of enforcing those rules which you may form among yourselves, for the purpose of carrying out your association? Yes, if we had the protection of the law, so far as to prevent a bad man from robbing the association; I really think that is the great difficulty.

585. That advance may be considered to have been in the spirit of kindness, and from a desire to serve the working classes rather than as an investment of their money? Yes, but there would be investments if there were security. It is only this week that some of our men came to me and said, 'here is a sovereign we will pay towards the capital, and towards and for the association.' One young man who had saved £15, brought it and he said, 'I have confidence in the association, I will trust them with the £15;' and there are hundreds of working men who would do the same, but we cannot give them security. It is notorious that the savings' banks are not secure."*

The conclusion which we should therefore draw from the above apparently conflicting statements are, that for the purposes of extensive manufacture and wholesale trade, associations of the working men would be, if not utterly unfitted, yet under a very great disadvantage in competing with firms conducted by shrewd, active, intelligent, and experienced men of business: but, that as far as regards retail trades, which do not require for their conduct more than the average amount of knowledge or intelligence, they may be very successful. We would therefore hope, that as far as the trifling protection asked by for by them goes, as stated by one of themselves, the Legislature will act upon the evidence taken before, and the recommendations given by the last named Committee. The cherished prejudice in favor of unlimited liability may still be indulged, while conceding this small favor to associations of working men—that any attempt at fraud upon the part of an ill-disposed or dishonest member, may be made the subject of speedy redress by a magistrate, and that any differences arising should be referred to some inexpensive tribunal, provided expressly for such a purpose.

There is one advantage in enabling the working classes to associate and carry on trade or manufacture on their own account, which should be sufficient to recommend such associations, even did they serve no other or further purpose; by permitting it we shall enable them to see that they are not suffering such injustice as they imagine, at the hands of their employers; that the average profits of such trades or manufactures are not so large as they estimated; and they will thus have before their eyes an unfailing proof, and one which

* See "Minutes of Evidence taken before Select Committee on Savings of Middle and Working Classes. Ordered by the House of Commons to be Printed, 5th July, 1850."

cannot be misunderstood—which will shew them what their labor is really worth.

It is neither our wish nor intention here to offer one word, or express any opinion as to the policy of the proposed measure which is still further to extend the suffrage, and place additional power in the hands of the working class. Though some efforts have been of late made and are making, it cannot be disguised that we have grossly neglected the great masses of the people, that we have not cared for them, have not educated them, have not legislated for them as we should have done; that they have been used by parties for party purposes; that as a class, independent of politics, or party, they have been ignored. The Reform Bill is a purely political move, and regards not, though it may have some effect upon, the elevation of the working class. Sooner or later they must become a great party in the State, and exercise an immense power for evil or good. There are, in our Constitution, sound and wholesome principles which require but an educated gaze that they should be recognized as the wisest that human wisdom has ever yet devised or man's experience tested; our institutions require but an educated gaze to be recognized as those under which the greatest amount of rational liberty, liberty alike from the despotism of a monarch, or of a mob, may be enjoyed; let us educate that class from whom so much is dreaded; let us care for them; let us do them full justice, not for the sake of party or politics, but for their own sake and for that of the common weal, and we shall find them the most ardent supporters and the boldest defenders of our Constitution and of our laws.

Art. II.—JOHN BANIM.

PART III.

FIRST PLAN OF "TALES BY THE O'HARA FAMILY." MICHAEL BANIM'S SHARE IN THEM. THEIR DESIGN. JOHN BANIM'S MARRIAGE. REMOVAL TO LONDON. LETTERS. HINTS TO NOVELISTS. LITERARY STRUGGLES. LETTERS. ILLNESS. LITERARY EMPLOYMENT. ILLNESS OF MRS. BANIM. LOVE OF HOME. LETTERS. PLAYS. HIS OPINIONS OF LITERARY MEN. ACQUAINTANCE WITH WASHINGTON IRVING. CONNECTION WITH DRURY-LANE THEATRE. LETTERS. PROGRESS OF FIRST SERIES OF "TALES BY THE O'HARA FAMILY." CONNECTION WITH ARNOLD AND THE ENGLISH OPERA HOUSE. OPINIONS OF KEAN, MISS KELLY, WASHINGTON IRVING AND OTHERS. LETTERS. ACQUAINTANCE WITH GERALD GRIFFIN. THEIR FRIENDSHIP. MISUNDERSTANDING BETWEEN THEM. LETTERS. ILLNESS. PUBLISHES "REVELATIONS OF THE DEAD-ALIVE;" EXTRACTS. OBTAINS PUBLISHER FOR "TALES BY THE O'HARA FAMILY." LETTERS.

In the first and second parts of this Biography of John Banim,* we placed, carefully and honestly, before the reader, the whole life of the man, with all its strength and weakness; all its love, and hope, and energy, from his birth to his twenty-fourth year,—and we closed our last paper by recounting the circumstances and facts connected with his first success as a Poet and as a Dramatist.

Whilst visiting his family, after the production of *Damon and Pythias*, Banim frequently wandered away through the lovely scenery of the county Kilkenny; he generally resided, on these occasions, with some friend of his father, and was always accompanied by his brother, Michael. Few counties in Ireland can present scenery more varied or picturesque than Kilkenny. Thomastown, Jerpoint, and Kells, possess monuments of older days, interesting and valuable to the antiquary: Inistiogue, and Woodstock, once the residence of the authoress of *Psyche*, are glowing in all the pride of leafy loveliness; and every feature of sylvan beauty is enhanced by the proximity of the bright, pure, gentle-flowing Nore. Banim's favorite spot, amidst these scenes, is thus described in *The Fetches*:—

* See Irish Quarterly Review, Vol. IV. No. 14, p. 270; and No. 15, p. 527.

"It rises from the edge of the Nore, at about thirteen miles from Kilkenny, into curves and slopes, hills and dales, piles of rock, and extensive spreads of level though high ground; hills and dales are thickly or wildly planted; and mountain streams, made rough and interesting by the stony impediments in their course, seek their way through the bending and shivered banks and fantastic woods; sometimes leaping over an unusually steep barrier. The waterfalls send their chafings among the woods and hollows, which on all sides, and at a distance, reply; and these voices of nature, together with the nearly similar noise of the rustling trees, or the crackling of their knotted arms in the blast, are the only, or the overmastering sounds that disturb the solitude.

Extrinsic interest has lately attached to this fine scenery, on account of its having been the last residence on earth of a lady not unknown in the literary world. In fact, the present proprietor is a Mr. Tighe; and here the gentle author of 'Psyche,' that gentleman's aunt by marriage, breathed the last notes of her femininely sweet song, and the last breath of a life she was almost too good and pure to have longer breathed, in a bad and gross world. Here she sang, in sighings of the heart, her last melancholy farewell to the 'Odours of Spring'; and, alas, the flowers she addressed had not wasted their perfume till they were transplanted to her grave. A beautiful girl, long the humble protégée of the minstrel, culled them with her young hands, and in recollection of notes that the silent tongue had once murmured, placed them on her bed of clay, and thus in the tears of beauty and of youthful sorrow, they were there nurtured. The grave is one of many in the church-yard of the village that skirts the domain. The river runs smoothly by. The ruins of an ancient abbey, that have been partially converted into a church, reverently throw their mantle of tender shadow over it: simple primroses and daisies now blossom round. It is a place for the grave of a poetess.

But, when Tresham visited this district, it had, for him, the single yet abundant interest of its own beauty. Even as he approached it, the introductory scenery grew fair and enchanting. The country outside of Kilkenny was uniform; but at last, from the highest point of a rough, mountain-road, his eye was at once flung over a semicircular extent of hill, dell, and mountain, broken into every desirable shape of the picturesque, and thrown and tossed about, as if in the awful sportiveness of the creating hand. Hill bestrode hill, the guardian giants of the race appearing pale and mysterious in the distance; while through the midst, in the depths of a spacious valley, the lady Nore curved on her graceful course.

It was the first approach of an unusually fine evening in September, and the red sun, setting over an extreme vista at Tresham's back, lackered all the opposite scene with gold: producing, at the same time, those stretching shadows that make evening the painter's best hour for the study of his *chiaro-scuro*. At every turn of this road the scene only changed into another mode of beauty. From a nearer point appeared the lowly village of Inistiogue; a few white cottages, glinting, like white stones, at the bases,

and in the mighty embrace of hills, richly planted. Its light and not inelegant bridge spanned the crystal river, groups and groups of trees massing behind it; and, over all, the high grounds of Woodstock rising in continued and variegated foliage. Tears of pleasure filled Tresham's eyes. He felt it was happiness to live in so fair a world; alas!—he enjoyed the scene as if he had been doomed to enjoy it."*

Amidst these quiet haunts, Banim loved to linger. The first round of life's great ladder of fame was, he fancied, passed, and the jostling crowd who, panting and eager, thronged its foot, were no longer to be feared; and day dreams, such as only the young poet knows, made bright and joyous the hopeful musings of that autumn after he had seen "one of his sky-rockets go off." It was not that he felt unwilling still to labor, and fast, and watch, and wait. Fame to him was like that image of Love in *Gondibert*—and made all and everything bright and sunny—

> "As if the thing beloved were all a Saint,
> And every place she entered were a shrine."

The sad times of walking about the streets for lack of lodging—of "whistling for want of a dinner," were past—but the strong will, the earnest love of literature, were true and daring as ever. Plays, Essays, Novels, and Poems were designed, and talked over, with Michael, who was the confident now as ever.

It is a well known fact, that the genius which constitutes the Dramatist is nearly akin to that which forms the Novelist; and in discussing the plans of his future life with his brother, Banim resolved to make his next venture as a writer of Irish fiction. At this period, 1821, Miss Edgeworth was in the full possession of the public taste as the best and only Irish novelist. That reputation which she had obtained through the *Tales of Fashionable Life*, and through the *Moral Tales*, was out-topped by the success of the *Essay on Irish Bulls*, and of *Castle Rackrent*. These, however, were but the elegant drawing-room portraitures of Irish life and character, which might be represented in conjunction with the performances of that famous bear, in *She Stoops to Conquer*, who only "danced to the genteelest tunes." They wanted vigor and individuality, and were entirely deficient in that dramatic power, without which any (most of all an Irish) novel must be weak. Admirably as Miss Edgeworth's genius might qualify her for the composition

* See "Tales By The O'Hara Family," Vol. II. p. 362. Ed. 1825.

of her inimitable fictions inculcating moral precepts; excellently as she might construct that most difficult of literary labors—a story for children, or for young people,—she wanted many, very many attributes peculiar to that phase of genius which can obtain, and keep secure, the title of *the* Irish novelist. Banim knew well that his country-woman possessed ability of a very high, and polished order; he felt that in entering upon the world of literature as a writer of Irish fiction, he should be prepared to take his place beside, if not above one who enjoyed all that strength which is derived, in literary matters, from a pre-occupation in the public mind. He was fully impressed with all the might and force of these facts, but Sir Walter was his ideal of a National Novelist; than this ideal nothing can be more dissimilar than that discoverable in the style and tone of the works of Miss Edgeworth. Banim had known the people of whom he desired to write from childhood; he wished, like Galt, to draw his scenes and plots from the characters and events furnished by the every day world around him. As we shall, hereafter, in this portion of his biography, learn, he thought that from the body of his acquaintances, the "studies" for many novels might be made. The scenery of his native county, and various portions of his native city, were to form his still life—they but required careful description, to become the external nature of his fictions. The human nature he would find in the humor, in the pathos, in the tender hearts, or in the wild fierce passions of the Irish peasant.

In the year 1821, the Roman Catholics were just commencing to make their chains "clank o'er their rags;" the battle against Tithes was being fought; O'Connell had not, as Sydney Smith said, "lapsed;" the reign of Captain Rock was flourishing, and all the wild nature of the people was aroused. Banim's feelings were in unison with those which actuated the great mass of his countrymen. In religion and in politics he was with them; Tithes were an abomination; the Established Church an incubus; the Penal Laws were meant solely for the suppression of the Roman Catholic faith, as a religious creed, and thinking thus, Banim resolved to attempt that which many others have tried to accomplish—to raise the national character in the estimation of other lands, by a portrayal of the people as they really were, but at the same time to vindicate them from the charges of violence and bloodthirstiness, by showing, in the course of

the fiction, the various causes which he supposed concurred to draw forth, and foster these evil qualities. He fancied that of the lawlessness of the peasant he could discover the actuating principle, in that bitter thought of *Shylock*, which teaches that those oppressed will in their turn oppress; and he longed to be their champion. The Irishman had been the blunderer of the stage for years—his stupidity being only equalled by his vulgarity and coarseness:—not alone on the stage was he misrepresented—the novelists had likewise held him up to ridicule—he was their butt or their adventurer—a species of co-mingled *Gil Blas* and *Vanillo Gonzales*—speaking a barbarous English with a most abominable brogue—and in the whole range of the drama or of fiction, the only moderately fair portraiture, before the appearance of the *Tales By The O'Hara Family*, of an Irishman, is to be found in the *Sir Callaghan O'Brallaghan* of Macklin's* *Love-a-la-Mode*, and in the *Sir Lucius O'Trigger* of *The Rivals*. Whether Banim knew these mistakes of former writers, or whether he was incited in his project by the success of the Waverley Novels, is now a question of little moment. Doubtless he knew that half the merit of Sir Walter's wonderful fictions consisted in their nationality, their naturalness, and their truthfulness. Fielding, and Smollett, and Macklin, had caricatured the Scottish character in precisely the same manner as that adopted towards our own countrymen; yet despite the ridicule of the older wits, Scottish character will be truly understood, and from *Oldbuck* and *Dumbiedikes*; from *Baillie Nichol Jarvie*—"rest and bless him," and *Caleb Balderston*—from *Rob Roy* and *Jeanie Deans*, from all so dissimilar, and yet so Scottish in their individuality, the world has learned to know Scotland, in her people, and to accomplish such a work as this for Ireland, was the great aim of Banim's efforts—the object which from this period, and at all after times, was ever honestly before him. We are here writing of the reasons which induced him to become an Irish novelist, and are now but recording the plan and scope of the projected works,—hereafter we shall, in the proper place, discuss the various topics connected with the tone and style of composition marking these excellent fictions.

Much as Banim longed to become the novelist of Ireland, yet knowing the great difficulties to be encountered and

* For a memoir of Macklin, see IRISH QUARTERLY REVIEW, Vol. III. No. 12, p. 857.

surmounted, he hesitated, and feared, and doubted. Whilst roaming through the demesne of Woodstock, whilst revelling mentally amongst the various scenes of sylvan loveliness of the landscapes around Inistiogue, he spoke of all his hopes and fears to his brother Michael. Michael was all courage and trustful aspiration. From the period at which he had ceased to be a pupil of Mr. Buchanan's "English Academy,"* he had been engaged in business as an assistant to his father. He had been, as we already seen, the constant correspondent and adviser of John: he knew little of books, but much of the men who formed the world in which he lived. These were precisely the men who were to make up the characters of John's projected novels. Michael urged his brother to proceed: he knew nothing of the literary jealousies, the carping, the injustice which must be encountered in working one's way to the public eye. He believed in John's genius; he had gloried in his progress; he had been his confident in his unhappy first love;† he had been his nurse in the long and terrible sickness succeeding the death of Anne D——; and now he was his best and truest friend, for he kept him firmly fixed to one plan, of many, promising success. They talked of plots and scenes; they repeated old stories, and criticized their adaptability for the novel or romance; and thus Michael became confirmed in his estimate of his brother's genius, and John learned the great advantage to be derived from the judgement, and kind, but honest criticism of Michael. And he learned more:—in discussing their plans, and in relating the country tales that seemed most suited for John's purpose, Michael related one particular story so well, so clearly, so graphically, and with so genuine a pathos, that John determined upon venturing all his hopes of success in an Irish Novel—a novel to be written in separate tales—one, at least, of which should be written by Michael—and thus, amid the green fields of Inistiogue, were the *Tales By The O'Hara Family* planned, and a joint system of writing commenced, which rivalled in popularity the *Canterbury Tales* of the Sisters Lee. Michael was unwilling to join his brother

* See IRISH QUARTERLY REVIEW, Vol. IV. No. 14, p. 278. Art. "John Banim. Part I."

† See IRISH QUARTERLY REVIEW, Vol. IV. No. 14, p. 296. Art. "John Banim. Part I."

in this plan; he doubted his ability; a book, and printers, were awful things in his eyes—but John insisted—implored: he would correct; he would be in London, Michael would serve him by shortening his work—the "filling stuff" of the volumes would be supplied by Michael's story if it served no other purpose; the story was a good one,—he might depend on John's judgment for the truth of the opinion, and at length it was agreed that each should commence composing forthwith, Michael to write the story he had told to John, John to prepare the other tales necessary to complete the ordinary three volumes—and each was to submit his work to the judgement and correction of the other.

This joint plan having been arranged, another joint plan was to be undertaken, in which John was to appear as chief actor. In his wanderings around the neighbourhood of Inistiogue he had selected, as his chief resting place, the house of John Ruth of Cappagh, a very old and steady friend of his father. John Ruth was what is, or used to be, called a "gentleman farmer;" one of those who with good land and low rents made up the somewhat spendthrift race of Irish "strong farmers." His house was well built, and warmly thatched; it had its fool; its lame cook; its herd of hangers on; its guests whose days were idleness and whose nights were too frequently drunken revels. He was amongst the last of his class, and as many of our readers in this age of staid, sober, Incumbered Estates purchased farms may not be aware of the causes which conduced to make Irish "gentlemen farmers," incumbered landholders, we here insert from *The Nowlans*, Banim's sketch of *Aby Nowlan*, the original being a cousin and neighbour of John Ruth:—

"He was the first Roman Catholic 'gentleman farmer' of the district, inheriting, almost undividedly, the profit rents of many farms taken from time to time by his father, at very low terms and on very long leases, tilled and cultivated with skill and industry, and at last brought to such perfection, as on his death-bed to leave the premature old man the willing of almost a real estate of about one thousand a year. And, by the will he made, old Nowlan seemed perfectly to understand the importance of his acquisitions: for, in imitation of the proprietors of real estates around him, he would have, in his eldest son, a representative also; while three other sons, Daniel among the number, were left but scantily portioned; Murrough, the second, being apprenticed to a sadler in Limerick, and, when out of his time, turned off to shift for himself upon three hundred pounds and a blessing; Davy, the third, similarly disposed

of 'in the grocery line;' and Daniel, the youngest, favoured, at the same rent under which the old man himself held it, with a lease of part of the ground on which we now see him living and thriving, and which, indeed, was the beginning of his prosperity.

In fact, a gentleman, 'a real gentleman,' old Nowlan would leave behind him in the person of 'Masther Aby;' and it was not by independence alone, but by education and accomplishments too, he sought to confer this character. For himself, who had the making of the estate, with his own two hands, late and early, through fair weather and foul, 'the larnin' would have been no use to him, and might have proved an injury; but the son who was to get all ready made to *his* hand and live the life of any gentleman upon it, why it well became him to put something besides his mark to a lease or a receipt, and to be able to read any book that might come in the way, and to keep his accounts in 'pin-writin,' rather than on 'a tally,' and to have a word in his cheek before the best in the land; nay, to understand the soggarth's Latin itself, and not 'to have it thrun away upon him, like a cow or a horse.'

But old Nowlan's endeavours, in this second view, were not as successful as his previous industry; he found it easier to make a thousand a year for his son, than to make that son a scholar or a gentleman. In vain did he send him to the best schools in Limerick; 'Masther Aby' either learned nothing in them, or did not stay in them long enough to learn any thing. Sometimes he was turned home, like an incurable out of an hospital; sometimes he came home of his own accord, and, without speaking a word, or showing the least change in a face always, from youth to old age, unchangeable, sat down to dinner in his father's parlour; and, more than once when the old fellow thought that by dint of a good horsewhip, he had succeeded in prevailing upon him to return to his 'schoolin,' that is, when after a sound flogging he had shut the door in his face, 'the young master' has been discovered, months after, quietly passing his days under the roof of some distant tenant; eating, drinking, and sleeping; whenever it was possible, riding a horse; and scarcely ever opening his heavy-lipped mouth to a creature around him.

In wrath and stern resolve, old Nowlan fell upon a plan, suggested by an action he had seen performed by the blockhead himself. At about twelve years of age, Aby was well skilled in dogs of all degree, and there was a certain pointer of his kennel which took an objection to breakfast on 'stirabout,' just at the very time, when in consequence of the animal's real or supposed state of body, stirabout was deemed, by good judges, its best diet. So soon as, after repeated efforts, Aby saw that the dog would not share the breakfast of its brother-and-sister dogs, he was observed silently to unchain it, lead it out into the middle of the yard, secure it to a large stone, place before it a platter of the objectionable food, stand by until a reasonable time was afforded for dog or man to form a decided opinion, and then flog it with a steady hand, again adjust the platter, again stand inactive, again flog, flog, and so continue, until some kinder-hearted person beguiled him from his employment,

or until his father, at last recognizing the matter, came out with another horsewhip in his hand, not for the dog, but for the dog's master.

And on this hint, old Nowlan acted in resolute prosecution of his plan to make his eldest son a scholar. Mounting a good horse, he rode, not to the ablest, but to the severest pedagogue in Limerick, and proposed an unusual pension for Aby's board and education, on the following provisioes; that, first, Aby should get neither breakfast nor dinner until he had previously breakfasted 'dacently' on his morning and afternoon tasks, or else upon three distinct whippings, morning and evening; second, that, to prevent elopement during the day, he should be chained by the neck and leg to a block of wood sufficiently large and heavy to hinder him from running, or even walking fast; and, thirdly, that to guard against the like accident at night, all his clothes, except his shirt, should be taken from him, as he lay down in bed, and not restored until the chain and log were in waiting for re-adjustment at the hour of getting up: 'an if the bouchal won't ate his stirabout now,' said old Nowlan, when the bargain was ended, and Aby regularly installed in his log and fetters, 'why, he may just folly his own likins.'—And, notwithstanding the boasted wisdom of the arrangement, and the unremitting watchfulness and attentions of the pedagogue, 'the bouchal' did contrive to 'folly his own likins:' for, upon a winter's morning, about eight o'clock, and about a fortnight after his father had left him in the school, a vision of 'the young masther,' habited solely in a draggle-tailed shirt, appeared walking up to the house, just as the old farmer was on his way to a fair at Nenagh; so they met in the little avenue, and Aby's first salute from his affectionate parent was a lash across his shoulders, at which, wincing somewhat, he turned down the avenue again, and showed symptoms of a retreat to a tenant's house; but the father spurring his horse, intercepted, and by words and continued lashes, exhorted him into the Limerick road, kept him in it for miles, always foiling his efforts to double to the right or left, until, as Limerick came in view, Aby, roused to a dogged despair, rushed through a gap, down a descent to the Shannon, gained the river's edge before his father could baffle his sudden movement, plunged headlong in, and, as he had ever been too lazy to learn to swim, would most certainly have been drowned, but that a fisherman's cot paddled to his assistance, picked him up, and returned him to the arms of his now afflicted and remorseful parent.

This was his last trial. From this day out, Aby never saw the loathsome interior of a school; though, to the hour of his death, his dreams often surrounded him with its villanous circumstantiality. Old Nowlan, in addition to his caution of his former pertinacity, consoled his heart with various reflections; such as, when he was cross—'hard to make a silk purse out iv a sow's ear;—hard to dhraw blood from a turnip; man proposes, God disposes:' or, when he recollected that Aby could indeed write a tolerably fair hand, and read a book without much coughing and hemming, and, fair time being allowed, and no hurry—work out a sum upon a slate to the

effect of—'what would six sacks of wheat come to at—the sack?' and find out London and Dublin upon any map he was used to, with other considerable things;—why, when the old man took this to mind, he would comfort himself with—'half a loaf is betther nor no bread;—take an inch if you can't get an ell;—too much of one thing is good for nothing;' &c. &c.

The stupid harmlessness of Aby's character had further influence on the natural feelings of the parent: 'avoch, poor boy, there wasn't a bit of bad in him; an' the heart was in the right place, any how;—an' he was no sich omadhaun, neither; smooth water runs deep: he could see as far into a mill-stone as another: he knew more nor a cow did of a bad shillin'; lave him to himself; jist let well enough alone; you'll never see him atin' pavin'-stones for phayties;'—and in time, this negative admiration amounted to real love; even of the dolt's clumsy person, set features, and staring eyes, the father became fond; nor was Aby's taciturnity any check on their fire-side communions; for, just as one can talk for hours to a dog, in imaginary reply to its set gaze, or the wagging of its tail, old Nowlan easily managed long conferences with his eldest son.

In a word, 'Masther Aby' was a mere animal of a very inoffensive, and perhaps amiable class; not a fool, that gives no idea of him; an animal is the word. An animal with an animal's wants, and with no mental stimulus to strive for any thing beyond their gratification; and with an animal's passions, of course. For example; he was but eighteen when one of his father's—(dairy-maids we were about to say, but that it involves a usual contradiction,)—one of his father's dairy-women, then, went to the priest to make a certain acknowledgment in which he was concerned; within the next year old Nowlan became the grandsire of two more children, by different mothers; soon after his death, 'the new masther,' at five-and-twenty, had installed in his kitchen, as servants, those three women, while a finer lady played sultana over them all, and the sultan's visits were known to be extended to the dwellings of more than one other pretty woman, girl or wife, on his farms; in the lapse of years, the whole set, with their whole brood, were to be found ejected out of his house or their father's houses, and established, rent free, and more than that, in separate cottages, all around, while a new and younger set, still with a temporary 'Mrs. Nowlan,' supplied their places, only, in turn to share their destiny; and this system, until about fifty, when we have most to do with him, 'Masther Aby', as all the country-people of his own age, or older, still called him, formally kept up; and, on account of the wear and tear, resulting from it, this was the system that gave cause for some of the doubts expressed by the neighbours as to John Nowlan's chance of being much the better of an adoption into the graces of his uncle.

Other domestic courses added to such doubts. Aby Nowlan had, in common with his father, an ambition to be thought a gentleman; but he manifested it in a tamer and more slavish way than his father would have done. To wear, like 'Square Adams,' (meaning Squire Adams) of 'Mount-Nelson,'—(or some such ridiculous name conferred on a bit of barren ground once called Killavochery, or Bally-

brochlehin, or Coollavoerlich, and still surrounded by similar ones)—to wear like him, who was the county magistrate, before mentioned, a very blue shining coat with very bright buttons, a canary-coloured waistcoat, top-boots, and fawn-coloured small-clothes; to ride, like him, a good hunter to every hunt, and like him, and, especially, to him, and his nine sons, and score friends, to give great meat dinners, and 'lashins' of claret, port and sherry, and all in the timid hope of being recognized as the boon-companion, and no more, of a man of less actual wealth, and of no more actual rank than himself; this was the weak, mean, and superfluous way in which stupid Aby Nowlan tried to become a gentleman. And, to his heart's content, the 'quality' allowed him to make the experiment; day after day, night after night, 'Square' Adams, and his ranting and roaring, cursing and swearing, sons and cousins, friends and followers,—(himself as great a roarer and blasphemer as any amongst them) would honour 'the bachelor's house' with their noise, voracity, guzzling and drunkenness; while 'Mrs. Nowlan' had a numerous circle to tea above stairs, the masther gloated, with staring eyes, and with scarce a word in his cheek, on all this glory, in the parlour; so that his candle thus lighted at both ends blazed away famously."*

John Ruth had been unlike his cousin, the original of this sketch; he had not been a drunkard, but he had been somewhat unfortunate in his farming speculations, and he was not the man to raise himself into competence when he had once fallen from its position. But in the incident of Banim's life which we are about to relate, this circumstance weighed lightly with him. John Ruth had three daughters—all pretty, and well educated for their position in life. Banim, as their father's guest, was frequently their companion: he was not the fiery-souled adorer of the days when he wooed Anne D——; the hard and iron realities of his life in Dublin had taught him, that love which begins without calculating upon mutton chops, lodgings and coal, is likely to expire in the daily struggle for the procuring of these necessaries—yet he was ardent enough to love the youngest daughter of his host—even though she were dowerless. He had known Ellen Ruth little more than a fortnight when he told her that he loved her. He did not ask her then to marry him; he left Kilkenny for Dublin; he published a pamphlet on the proposed testimonial commemorative

* See "The Nowlans," Vol. I. p. 39. Ed. 1827. This is not the only instance in which Banim has introduced his wife's family name:—for example, in "The Fetches," he gives the name Ruth to his heroine "Anne."

of the visit of George the Fourth to Ireland,* and after arranging his affairs in Dublin, preparatory to removing to London, he returned in the month of February, 1822, to Kilkenny. He then found that his love of Ellen Ruth was returned by an affection as warm, and fond, and true as his own; and after a courtship of less than five months, John Banim in his twenty-fourth year, and Ellen Ruth in her nineteenth, were married on the 27th of February, 1822. A pure heart, a sweet kindly face, and great love and trust in her husband, were all the fortune she brought him—and as we recall now the patient care, the tender, never-flagging zeal with which, in after years, she bore her part as wife, and nurse, in many a weary month when her husband slept but for minutes, to awaken to hours of agony, we can apply to her the beautiful lines in Gerald Massey's *Poor Man's Wife*—

> "Her heart it was lowly as maiden's might be,
> But hath climb'd to heroic height,
> And burn'd like a shield in defence of me,
> On the sorest field of fight!
> And startling as fire, it hath often flasht up
> In her eyes, the good heart and rare!
> As she drank down her half of our bitterest cup,
> And taught me how to bear."

On the 13th of March, 1822, less than one month after their marriage, Banim and his young wife set out for London, really to seek their fortune. To the student of literary history, how many memories the words "seeking his fortune," and "settled in London," bring back upon the mind. Johnson rises first—the great, heaving figure is before us—he has failed as "a domony, mon, a domony that keeped a schule and cawed it an acawdemie,"—his weary years of sorrowful youth, and disappointed early manhood are past, and now he seeks but bread by the labor of his brain. David Garrick, with his skipping step, and bright black eye, can work his way, and his little vanities but help him onward; but the deep, loving soul, with thoughts and hopes for all, is gloomy, and distressed; he lives somehow, "genteely," at an eight-penny "ordinary," "with good company, sir;" and he hangs about Cave's at St. John's Gate. He hopes on, he calls upon Wilcox the bookseller, with a letter of introduction, and

* See IRISH QUARTERLY REVIEW, VOL., IV. No. 15, p. 555, Art. "John Banim, Part II."

requests employment as a literary man; Wilcox looks at him, measures his burly frame, scans his heavy face, and tells him he had better "buy a porter's knot." But he still perseveres; he has a poem with him, an imitation of Juvenal, and Dodsley liking it publishes it for him, and when his *London* appeared, Samuel Johnson was "settled in London." Goldsmith comes next to London, poor Goldsmith, his has been a wild, wandering life; but man, and woman, age and youth, had ever loved him as he loved them; he is at first an usher in a school; what he thought of that employment he has told us in his *Life of a Philosophical Vagabond;* he leaves the school and sets up as a physician at Bankside, and he "has plenty of patients but no fees." He too hangs about the publishers; a little pock-marked man, very shabby indeed, for this was before the days of William Filby the tailor, and the "peach-coloured suit;" but he works on, as he ever did, hopefully, giving pence in charity when he himself lived on pennies. And when the World thought Sterne a great novelist, thought Beattie a great poet, thought Kelly a great comic writer, God knows poor Goldsmith might have dispaired, even if Newbery had not retained the *Vicar of Wakefield* for two years, even if Coleman had not thought so meanly of his play, as to refuse to paint a new scene for a thing which he was sure must be damned. These woes he suffered before he was "settled in London," and yet Oliver Goldsmith died £2,000 in debt—truly we may exclaim with Johnson, "was ever poet so trusted before?" Then Tom Moore goes to London; bright-souled Tom, with his light purse, his glowing fancy and his loving heart; he had no dark days save when he wanted a new coat; he forgot this care too in a supper with "Incledon and Irish Johnson," and thought of it only when he was asked to dine by "the Honorable Mrs. Gardiner, an English woman, but she has an Irish heart;" he is happy because the Prince accepts the dedication of *Anacreon*, and thus Tom Moore is "settled in London." Gerald Griffin goes to London; a boy, fresh from the blooming fields of his native place, founding his hopes of success upon his tragedies *Aguire*, and *Gisippus;* only in his twentieth year, and with no friend in all the great city save one—John Banim. What a struggle was his? "Cheated abominably" by Magazines to which he had contributed; translating a "volume and a-half of one of Prevot's works for two guineas;" disgusted with his employ-

ments, "there was so much shuffling and shabby work," but yet he was ever hopeful, and Gerald Griffin was only "settled in London" when his *Collegians* appeared, and as his other novels were written at all times, and in all places, so this was written "against the printer," and as it was required.

These are the memories which arise as we record the going forth of John Banim to seek his fortune in London, and to obtain a home for his wife in that unknown place. And truly his home was her home—they had no home save his, save that home which he should procure, and support by his own exertions; and with a hurried leave-taking they quitted the old folks at Cappagha and Kilkenny. It was a speedy farewell, but one in which good wishes came from the souls of the home-stayers. There was only the God bless you, of the father and mother; the God speed ye, of the neighbour; the God be with ye, of Michael and the sisters—and last but not least, the firm grasp of the hand, and the honest smile of the servant, as she half laughingly, half weepingly said—"More power to you, Misther John." And so, passing from the scene of his joys and sorrows, John Banim went forth to London; and as he and his wife moved away towards that vast city of all earthly evil and good, they proved the beautifullest thing in all the world—woman, in her blooming youth, clinging to man in the strength and energy of genius—two whose hearts beat but as one, whose life was Faith, and Hope, and Love—Faith in the bliss of to-day—Hope in the work of the dreamy future—Love in all times and in all fortunes. And as they entered the city, so they entered the reality of Life, and began to learn that solemn truth of Goethe—"Ernst ist das Leben."

He arrived with his wife in the metropolis on the 23rd of March, 1822. He had no friend in all that world, he had very little money, but he possessed all the courage that ever dwells in the strong, deep heart of genius—and he required all, its fullest, sustainment. Most literary men have commenced the struggle of London life with no claims upon their exertion save their own needs; and in the from hand to mouth existence of a young adventurer, who must be prepared to wade and buffet in the tide of men around him, ere he can hope to swim smoothly along the deep, broad stream of popularity, this circumstance of being sole is of great importance; it eases the load of anxiety and care, and be such a young man's course right or wrong, he knows that in his failure he alone

can suffer; if he succeed, his reward must be in the hereafter of a future fame, and in the love of a wife wooed and won in days not perhaps happier, but more secure in that realized fame—a good name with, as Goldsmith said, the author's "real patrons—the book-sellers."

Banim, however, thought not of these things. Forth from home he went, with his young wife, and his first residence in London, was at No. 7, Amelia Place, Brompton—the house in which John Philpot Curran had lived the last months of his life—the house in which he died, on the 14th of October, 1817, and which John Banim entered, as a resident, on the 29th of March, 1822. It was the last of a row of nine houses, and around it were green and pleasant fields, and a nursery garden, which now forms the ground of Pelham Crescent. Banim was elated at gaining possession of these lodgings,—his first pilgrimage in London, (every literary man who is worth the name, has some long-selected spot in London, to which he makes a pilgrimage on his first visit,) had been to the scene of Curran's death,—a lodging bill was in the window, "I," as he afterwards said, "bolted in, I took the rooms at once, that I might dream of Ireland, with the glory and halo of Curran's memory around me." Here, amidst the semi-rurality of a London suburb, he fixed his residence, and he thus, in his first letter to the dear friends in Kilkenny, describes his lodgings, and relates the feelings and emotions with which his heart is filled :—

"*London, 7 Amelia Place, Fullam Road.*
March 30th, 1822.

My dear Father and Mother,

We got into London on Monday evening. Tuesday, Wednesday, and Thursday we spent lodging hunting. We settled here on yesterday. We are pleasantly situated as regards accommodation; and when I retire to the back drawingroom, which I have fixed upon for my study, I am as quiet as if I were in a wood. Exclusive of the conveniencies I enjoy, there is a charm attached to my abode, that recommended it to me above all others; I breathe the very air of inspiration, I sit in the same chair, I lounge on the same sofa, and think, read, and write in the very study where John Philpot Curran sat, lounged, and thought.

Four years of the latter part of this great man's life were

spent in the rooms I now occupy. His thoughts, even yet, perhaps, float about my little study; and when I lock the door, and sit down, I almost imagine I can get them into a corner and make them my own."

The day following that on which he entered these lodgings, he commenced preparations for a vigorous performance of his duties as an author. He details to Michael, in the following letter, the course which he had adopted "to keep," as he said, "the fire in and the spit turning."

One can fancy the brave, true-hearted "country boy," sitting at the breakfast table, with a good appetite, in which "Ellen keeps him in countenance," earnestly searching the advertisements of *The Times* for some employment that might suit him; and wondering, like *Tom Pinch*, that so many people wanted what others offered to supply, yet apparently the parties never met. We can fancy him, after a fortnight of these hopes, and fears, and expectations had elapsed, writing thus so heartily, and honestly, as he ever wrote, to Michael:—

"*London, April 4th*, 1822.

My dear Michael,

Do not be so uneasy about me; I am in the receipt of a weekly stipend, that is, paid weekly, but it is a settled annuity, which keeps the pot boiling very well.

As soon as I was fixed, I took up a newspaper, looked over the advertisements, saw a new periodical advertised, wrote immediately to the proprietors, furnishing some specimens of my capability; was treated with immediate attention, and soon engaged, and I am right well pleased with the concern altogether.

And now you must praise me, and say that I have not succeeded badly at the outset, considering that I am only an Irish country boy.

I work hard to be sure, to meet my engagement; it is what I expected, and what I like.—I am not indebted to a single introductory letter: this to me is delightful—to work one's own way, without incurring obligation, sweetens labour.

I was at work the second day after I got into a fixed abode. I will take amusement, when I can do so consistently with my industry: plenty of time for that,—in the mean while, I repeat it, is it not delightful to feel myself getting on in a strange world, by my own efforts alone?

The expense of travelling has been very great, and the cost of living here, out of all proportion with Kilkenny. Then why, you will say, saddle yourself with a responsibility to create the expense? My dear Michael, this is my answer—I have purchased by my outlay, rational happiness, settled habits, and a continual stimulus to future exertion. With the money I have expended I am as happy as any fellow can be, in my humble sphere. I am in excellent health and spirits. My appetite may be said to be too voracious for my income,—and further, Ellen keeps me in countenance in this respect. I go to bed early, rise early, drink nothing but water or tea; work with a liking for it, all the day long, and I have my cheerful fireside, with a companion thereat whose smile cheers me after my toil."

This letter was written in the month of April, and early in the July following a weekly paper, entitled *The Literary Register*, was started, and Banim was engaged upon its staff, and was also occasionally employed as its editor. This was his first step as a literary man in London, and he believed it to be a fortunate one, for it proved to him that "a country boy" might succeed had he but ability and industry; and in reply to some anxious questions of Michael's, regarding his position and prospects, he wrote thus:—

"*London, July 27th*, 1822.

My Dear Michael,

Your affectionate queries shall be answered. I am well off, better then I deserve to be; with a rational prospect of doing gradually better. I am a more industrious fellow than I was ever before. It is my delight; it agrees with me. My health is good; my domestic happiness equal to my anticipation. My time is my own; that is, I can apportion it as I please, consistently with my duties; and I patiently and resolutely await the coming of events."

Amidst all his own cares and wants, he was at this early period as anxious to serve a young man, a young Irishman in particular, who needed assistance, as in after days, when in the full possession of his fame, and of his influence, he aided Gerald Griffin with that heart-whole kindness which caused Gerald to write from London to his brother, "what should I have done if I had not met Banim—mark me, that is a man, almost the only one I met here." Indeed he was never weary of assist-

ing a needy brother by advice, and by kind words spoken in their favor to those who could really advance them; and money too, he would give, but he had it rarely to spare: he was not, however, inclined to encourage the folly of those who consider that London is a city where wealth can be made, in any profession, or walk of life, without energy and patience: the following letter to Michael gives an amusing account of his treatment of a young Irishman who had requested his counsel and direction, on certain matters connected with a proposed visit to London in search of employment, as an apothecaries' assistant. The plain good sense of the letter is very deserving of the attention of young gentlemen of large aspirations, but small experience, who fancy that an Irishman in London is a very wonderful and clever fellow, and must excel the natives of England or Scotland: Banim wrote thus:—

"*London, August 8th*, 1822.

My Dear Michael,

Your inclosure from Mr. Mac Gawly is curious: let me quote for you; he requests me to enquire into the state of the medical profession in London; and says, 'would you have the goodness to acquaint me if there are facilities to Irishmen, to obtain appointments at the houses of apothecaries?'

What the deuce! (Lord forgive me) nonsensical work is this he gives me to do? By what means am I to make out that vaguely generalised study—the state of the medical profession in London? What does he, or what can he mean by facilities to Irishmen, to become druggists' assistants? Have they not the same facilities possessed by Scotchmen, Welshmen, any men? I think I would not be serving Mr. Mac Gawly, did I induce him to venture over here. Depend on it, he would find it hard, even had he every facility, to pound his way through the bustling and shouldering of this place of rivalry."

Banim's prospects were now becoming brighter; he had been engaged on other periodicals, through the ability which had distinguished his contributions to *The Literary Register:* so far he had been fortunate, but his wife became ill, her life was in imminent danger, and in the month of November, 1822, she was delivered of a still-born child. These combined sorrows were the clouds of his married life; but yet he bore up against them hopefully, manfully, above all Christianly. If to-day were dark, to-morrow might be sunny, and his life was as that shown in the stanza of Shakspere,—

"O how this spring of love resembleth
The uncertain glory of an April day,
Which now shows all the beauty of the sun,
And by-and-by a cloud takes all away."

His present griefs and future hopes were thus told by him to Michael, and short as the letter is, there shines a noble, beautiful heart through every sentiment which it contains:—

"*London, November* 22*nd*, 1822.

My dear Michael,

Ellen has just escaped with her life,—her confinement was premature, and our lovely little infant came into the world, still-born. My expenses have been great, between nurse, doctor, and apothecary.—But God has done all for me; notwithstanding that I have encountered real difficulties, I may say I enjoy absolute comfort. I can put my hand in my pocket for every shilling circumstances require, and my purse is never positively empty.

Conceive how grateful I ought to be to heaven for my real independence, hardly earned, but the sweeter for that very reason.

My salary has been increased, and I earn something by contributing to other periodicals."

Mrs. Banim regained her health very slowly. Constant labor of the brain was required from the young husband, that money might be procured to meet the increased expenses of his wife's illness. We know nothing more interesting, in the whole wide range of literary biography, than the account given by Banim, in the following letter to Michael, of his position. It is not painful, or disagreeable in its details of an honest, poor man's needs; for the sorrows of the time are relieved by the hope, and trust, and content by which he is sustained, and he required all his cheerfulness: he wrote in a house where his wife lay ill—when his servant lay sick; he was at his desk about fourteen hours each day; he had "doctors, and their bills, *galore*;" * and now it was that he found the usefulness of the stern discipline of the time when he walked about the streets for want of a bed, and whistled for his dinner. There is a charming, loveable, honest simplicity in the confession—that much as he loved a glass of punch, he never has

* i. e. in plenty.

it now ; and one can suppose that as he wrote he recalled the happy evenings when with his father, and Michael, and Mr. Buchanan, he sat by "the little octagon table" in the old man's "sanctum sanctorum," when the pleasant jokes went round with the bottle ;* and things were somewhat changed, for—"By the life of Pharaoh, sir, if I do not ply and teaze the brain, as wool-combers teaze wool, the fire should go out, and the spit not turn." The letter to which we have referred is the following, and was written about a month after Mrs. Banim's premature confinement :—

"*London, December* 22*nd*, 1822.

My dear Michael,

I sit down to reply to two letters of your's for which I am in your debt.

Ellen continues to go on tolerably, though not as rapidly as my opinion of her constitution led me to hope.

You say you will favor me with your cordial criticisms. My dear brother, you could not more materially serve me. I give you my word, I throw off all the matters for the 'Register,' as I do this letter, and without half my present stimulus or purpose.—I must write—must stuff the gaping maw of that weekly glutton, with any thing, to fill it. Pages, pages, that is the cry. Well, too well I feel convinced that part, often the whole of every packet, I shoot off at the office, is bad meagre stuff. But here is my difficulty. I have not time to hunt for these parts, in order to fix them and avoid their repetition. By the life of Pharaoh, sir, if I do not ply and teaze the brain, as wool-combers teaze wool, the fire should go out, and the spit could not turn.

Bye-the-bye, I am held pretty tight at present. My poor Ellen is ill, and my very good servant, as if for the purpose of adding to my difficulties, has got some confounded stoppage in her throat, and is in bed too, not able to swallow. Matters have been thus for a week back, and we have doctors and their bills galore. To meet the unavoidable increase of outlay, I am obliged to knuckle down to my work, and to live close—close, myself. You may remember, I used to like a cheerful glass. Not one libation now, even to the temperate fireside Bacchus. I am in great spirits for all that, I am always so, thank God for it."

* See IRISH QUARTERLY REVIEW, Vol. IV. No. 15. p. 534.

These labors here recorded—this "teazing the brain," this "knuckling down to his work," this "living close, close," at length produced its inevitable results, and the poor, brave heart whilst stout as ever, was overcome by the necessities of the weaker frame—the sword was out wearing the sheath.*

In the hour of his utmost extremity, at the time when Banim most required health and energy, a terrible sickness settled upon him, the malady of his life began, and to him

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* This over-taxing of the mind, and its effects, are thus vividly painted by the Rev. Dr. Newman :—

"As the great man's guest must produce his good stories or songs at the evening banquet, as the platform orator exhibits his telling facts at mid-day, so the journalist lies under the stern obligation of extemporising his lucid views, leading ideas, and nutshell truths for the breakfast table. The very nature of periodical literature, broken into small wholes, and demanded punctually to an hour, involves this extempore philosophy. 'Almost all the Ramblers,' says Boswell of Johnson, 'were written just as they were wanted for the press; he sent a certain portion of the copy of an essay, and wrote the remainder while the former part of it was printing.' Few men have the gifts of Johnson, who to great vigour and resource of intellect, when it was fairly roused, united a rare common-sense and a conscientious regard for veracity, which preserved him from flippancy or extravagance in writing. Few men are Johnsons; yet how many men at this day are assailed by incessant demands on their mental powers, which only a productiveness like his could suitably supply! There is a demand for a reckless originality of thought, and a sparkling plausibility of argument, which he would have despised, even if he could have displayed; a demand for crude theory and unsound philosophy, rather than none at all. It is a sort of repetition of the 'Quid novi?' of the Areopagus, and it must have an answer. Men must be found, who can treat, where it is necessary, like the Athenian Sophist, *de omni scibili*,

'Grammaticus, Rhetor, Geometres, Pictor, Aliptes,
Augur, Schœnobates, Medicus, Magus, omnia novit.

I am speaking of such writers with a feeling of real sympathy for men who are under the rod of a cruel slavery. I have never been in such circumstances myself, nor in the temptations which they involve; but most men who have had to do with composition, must know the distress which at times it occasions them to have to write—a distress sometimes so keen and so specific, that it resembles nothing else than bodily pain. That pain is the token of the wear and tear of mind; and if works done comparatively at leisure involve such mental fatigue and exhaustion, what must be the toil of those whose intellects are to be flaunted daily before the public in full dress, and that dress ever new and varied, and spun, like the silk-worm's, out of themselves!"—See "Discourses on the Scope and Nature of University Education. Addressed to the Catholics of Dublin." By John Henry Newman, D D., President of the Catholic University of Ireland, and Priest of the Oratory of St Philip Neri. Dublin: Duffy. 1852. Preface, p. xxvi. We quote this book merely for the particular passage above given.

the awful truth of Cowper's lines was taught by a fierce discipline of agony—

"Read ye that run the awful truth,
With which I charge my page;
A worm is in the bud of youth,
And at the root of age."

Early in the year 1823 the racking pains which had afflicted him during the twelve months succeeding the death of Anne D——, returned with all their violence.*

The tortures which he endured, in head and limbs, were increased by the thought that a delicate wife was now dependent upon him for support, and, as a

"Sorrow's crown of sorrow,"

his physician ordered an entire cessation of all literary employments. This was a woful sentence. It meant that he must consign himself to beggary—or become, with his wife, a burthen upon his father, to whom it had been his earnest hope that he might, at no distant period, be an assistance. All was dark and gloomy around him now, and at the very time too when success seemed to be within his grasp. The despondency of his first sickness returned: no hope—no rest—pain by day—pain by night—pain even in dreams—and waking hours but offering objects to rend the heart,—for as time passed on, he fancied that his position with the publishers and the readers became weaker and more uncertain.

He wrote at length to his father informing him of his position, and stating that he feared he should be forced to claim the shelter of his roof for himself and for his wife; to whom could he fly from pain and want, but to those for whom every pulse of his heart had ever beat warmly, in the dawn of fame and manhood as in the days of hopeful, dreaming, loving youth.

He was, however, spared the sorrow of this return to Kilkenny. With rest, and skilful medical attendance he was, after the lapse of some months, restored to health—and with the first indication of its return, he thus, with a buoyant spirit, writes to his father:—

"We are wrong to anticipate twenty cloudy days, because one is overcast—Praises be to heaven, I am better and likely to mend—My Sangrado frightened himself and frightened me, and

* See IRISH QUARTERLY REVIEW, Vol. IV. No. 14. p. 300.

I terrified you all at home too much—I must not, however, write so constantly; I must devote four hours per diem to exercise, for some time."

Whilst writing thus hopefully of his health, his means of support were much diminished. He was unable to spend sufficient time at his desk to keep up his connection with the periodical press as in the days before his illness, and therefore he was forced to endure many wants, many privations. But, as usual, he hoped, and as his connection with the weekly press decreased, he became a more regular, and better paid contributor to the monthlies. This circumstance was advantageous to him in one very important particular—his work was no longer task work, filling stuff, struck off for the printer, and against time, and he had therefore leisure to produce papers of a more finished, and more carefully written character. With recovered health he changed his residence from 7 Amelia Place to 13 Brompton Grove, where he had for neighbours, in Grove House, first William Wilberforce, and secondly William Jerdan, the well known editor of *The Literary Gazette*.*

His leisure, shortly after taking possession of these lodgings, was rendered still greater by the termination of *The Literary Register*, which closed its publication with the 44th number, in May, 1823.

With leisure came back the old love of dramatic poetry, and amidst his other occupations he found time to compose a tragedy which he entitled *The Prodigal*. The plot was well conceived, the situations most effective, and the language was glowing, yet vigorous. The chief character, *The Prodigal*, resolves to murder his father; he is led on by passion; the perpetration of the crime is checked by remorse, and in the moment of committal the foul design is abandoned. *The Prodigal* was accepted at Drury Lane Theatre, and parts were cast for Kean and Young.

Banim had just succeeded in getting his tragedy accepted when there arrived to him from the county Limerick, bearing a letter of introduction, a healthy-looking, handsome youth, who had come to London to seek his fortune and to secure his fame

* No. 13, Brompton Grove was lately occupied by a stone-mason. Gerald Griffin succeeded Banim in these lodgings, which are separated from Grove House only by Hermitage Lane—which takes its name from The Hermitage—the house occupied by Madame Catalani, during her residence in England. It was, after she left it, converted into a private lunatic asylum.

by the sale or representation of two tragedies, which he carried with him from his native place—it was poor Gerald Griffin—all genius and hope—but knowing as little of London or the booksellers as did *Parson Adams* when he commenced that famous journey to the city to negociate the sale of his two volumes of sermons. Griffin had found much difficulty in discovering Banim's residence, and whilst seeking it he heard from an acquaintance that Banim had a tragedy in rehearsal at Drury Lane, entitled *The Prodigal*, and thus, even before the future friends had spoken, one of Gerald's hopes was crushed—*he* had a tragedy in his trunk, and which he had called *The Prodigal Son*. At length the two poets met, and Griffin, in a letter to his brother William, thus describes their interview :—

"*London, Dec.* 29, 1823.

My Dear William—I mentioned to you a few days since, that I had seen Banim. I dined with him on Thursday; there were Mrs Banim, and an Irish gentleman, and we had a pleasant evening enough. He had read Aguire twice. He went over it scene by scene with me, and pointed out all the passages he disliked. He then gave me his candid opinion, which was, that after making those alterations, the play ought to be accepted, and to succeed. He gave it very high praise indeed, especially the third and fourth acts, which he said could not be better. Parts of the others he found fault with. The piece would not suffer by the loss of those passages, as he thought the acts too long. He recommended me to persevere in writing for the stage, and if I did so, to forswear roses, dewdrops, and sunbeams for ever. The fate of the unfortunate Vespers of Palermo told me this before. Poetry is not listened to on the stage here. I could not on the whole, have expected Banim to act a more friendly or generous part than he has done. On the second day I called on him, (Saturday) he made me stop to dinner. I put the direct question to him, whether from what he had seen it was his real opinion that I should be successful as a dramatist. His reply was, that he thought I had every claim, and since I had dealt so candidly with him, he advised me to write on, and that he would do every thing for any piece I wished to bring forward, that he would do if it was his own. With respect to the present piece, he advised me to leave it in * * *'s hands until he sends it to me, and not call or write to him. If he knows any thing of him, he says he

will keep and play it. I am very sorry I did not see Banim first. In that case I should long since have known its fate, as he could have procured me an answer from the committee in ten days. With regard to his present views, he has placed me on my honour not to breathe a word of them, therefore on that subject I can say nothing; but I may talk of the Prodigal Son, as I had before heard of it. You recollect I mentioned the coincidence in name with a play of mine. I asked him about it. He showed me sketches of it in his note book. The story is the same and the scene is laid in the same place, so that all my fine visions are knocked on the head there. He also lent me part of another manuscript tragedy of his which will come out at Covent Garden, in which I found the counterpart of my character of Canabe. Is not this vexatious? but enough of theatricals as Lucy calls them. It would be a great advantage to me if I could keep my lodgings for some time, as with such a friend as Banim, acquainted in the first literary circles in London, and willing to give me every assistance in his power, there can be little doubt of eventual success. He is in high estimation at the theatres, and says he will procure me an answer immediately, to any piece I wish to present. He has lent me a new French tragedy, which was sent him by Talma, a very fine piece as far as I have read."*

Banim's regard for Griffin's interest did not cease here. The letters of this unhappy man of genius are every where filled with acknowledgments of his kindness towards him. He advised him in his literary ventures. Gerald writes to his brother William, in February 1824, "Banim is very kind to me. On my calling on him, he urged me to alter 'Aguire' in those passages he pointed out, and told me that he still persevered in his opinions of it: that there were scenes in it, which for stage effect, and every requisite, could not be better." Again, he writes: "I had a visit from Banim the other day. What with the delays and disappointments I have met since I came here, it is only his encouragement, and his friendship, that keep hope alive." "Banim's friendship I find every day growing more ardent, more cordial if possible."

Thus this true-souled Irishman acted. He did not fear a rival—He suggests improvements in Griffin's plays; "Banim

* See "Life of Gerald Griffin, Esq. By his Brother." London: Simpkin and Marshall. 1843. p. 95.

made me an offer the other day, which will be of more immediate advantage than the tragedy, inasmuch as I need not abide the result. He desired me to write a piece for the English Opera House. When I have it finished he will introduce me to Mr. Arnold of Golden Square, the proprietor, who is his friend, and get me immediate money for it without waiting its performance. Banim offers me many introductions. He is acquainted with Tom Moore, Campbell, Ugo Foscolo, and others of celebrity. WHAT WOULD I HAVE DONE IF I HAD NOT FOUND BANIM? I SHOULD NEVER BE TIRED OF TALKING ABOUT AND THINKING OF BANIM. MARK ME! HE IS A MAN—THE ONLY ONE I HAVE MET SINCE I HAVE LEFT IRELAND, ALMOST."

Whilst thus active in kindness and good offices to his young friend, Banim was pushing his own way in the world. He had become the chief adviser of Thomas Arnold, the proprietor of the English Opera House, and contributed many operatic pieces to the establishment. These were but the things of an hour and are now forgotten; but to the close of his connexion with Mr. Arnold he found him liberal, honorable, and a steady friend.

He had commenced in 1823, the composition of his intended novel, and had written to Michael, urging him to hasten in the completion of his story, which was, as had been agreed upon, to form a portion of the volumes. Michael had little time to devote to literary pursuits. From morning till night he was engaged behind his father's counter, and in literary composition he had had, since leaving school, no practice beyond drawing up a business account, or writing a letter to John. But John had praised his talent as a story-teller, had asked him to write a tale for the forthcoming work; and as John, a judge of those things—a literary man himself—had approved his efforts thus, he determined to make the required attempt.

But how was the attempt to be made? He could not start from a customer to write down the thought of the moment; but when did genius ever fail in expedient? Michael Banim had naturally a good memory; his story was one founded on facts; and accordingly whilst he was behind the counter, with busy hands discharging all the multifarious duties of a shop-man in a country town, his fancy was busily at work, weaving the scenes of his narrative, and when he

retired to his room at night, he committed the already formed scenes to paper, and the early morning generally found him clothing his thoughts in words, and thus the powerful story entitled *Crohoore of The Bill Hook*, was composed and written.

The first portion of the manuscript was transmitted to John for perusal, late in the year 1823. By return of post, a letter of praise and thanks was written to Michael, entreaties for more were pressingly urged. The progress of the composition was necessarily slow, but scrap by scrap it was forwarded; and as had been agreed upon, John's portion of the work, *The Fetches* and *John Doe*, were sent to Michael, each brother acting as critic to the other, and thus the nom de plume, *Tales By The O'Hara Family*, was in every point a reality—John taking the name *Abel O'Hara*, Michael assuming that of *Barnes O'Hara*.

The brothers commenced their joint tales in 1823, and during the succeeding twelve months, John's letters are chiefly devoted to criticism upon his own and his brother's contributions to the series. Amongst these letters, the following is the most important. It extends to fourteen pages of very closely written letter paper, and in our mind contains the whole principle of the novelist's art. It is valuable not alone to the young novelist, as teaching him how to write, but it is equally useful to the critic and to the reader, as it teaches them how to judge and how to appreciate. It was carefully considered, and although commenced on the 2nd of May, 1824, was not concluded until the 4th of June following. It should be borne in mind that the letter is not a didactic essay, but is a friendly communication addressed to Michael, and is meant to convey true principles rather than to exhibit a finished style. The letter is remarkable also as being the production of a man only in his twenty-sixth year, yet showing a knowledge of the sources of all the secrets of construction which have rendered the novels of Scott and Galt so famous, because so life-like.

This letter, too, is important, as it gives the writer's impressions of his literary brethren. He had fallen into the common error of supposing, or assuming that literary men are exactly what their peculiar styles of composition might lead one to suppose them: just as many visitors of the theatre assume the tragedian to be a grave, austere man; and fancy the comedian is all fun and jokes, when in the quietude of private life.

The passage in the letter which refers to Washington Irving is extremely interesting, as it shows that the opinion formed by Banim of his goodness of heart, in 1824, was fully supported by the testimony recorded by Moore in 1821. Banim writes:—"I have had opportunities of coming into close contact with Geoffrey Crayon, he is natural as his sketches—*a man who would play with a child on a carpet.*"

How exquisitely this passage, in italics, supports an entry in Moore's *Diary*, relating to Irving. Moore and "Bessy" have resolved, in the year 1821, whilst residing near Paris, to give a children's ball in honor of "little Tom's" birth-day. The children, in dancing, have shaken the floor in some parts of the room, and what follows is thus described by Moore:—

"Our dance to the piano-forte was very gay, and not the less so, for the floor giving way in sundry places; a circle of chalk was drawn round one hole, Dr. Younge was placed sentry over another, and whenever there was a new crash, the general laugh at the heavy foot that produced it caused more merriment than the solidest floor in Paris could have given birth to. Sandwiches, negus, and champaigne crowned the night, and we did not separate until four in the morning. *Irving's humour began to break out as the floor broke in, and he was much more himself than ever I have seen him.*"*

The letter is as follows:—

"*London, May 2nd,* 1824.

My dear Michael,

I have read attentively, and with the greatest pleasure, the portion of the tale you sent me by J. H——. So far as it goes, I pronounce that you have been successful. Here and there, I have marked such particular criticisms as struck me, and them you may note by referring to the margin. I send you the MSS. of my tale, and I request your severest criticisms; scratch, cut, and condemn at your pleasure. This is the first copy. Looking over it, I perceive many parts that are bad; send it back when you can, with every suggestion you are capable of making. Read it for the whole family in solemn conclave. Let father, mother, Joanna and yourself

* See "Memoirs, Journal and Correspondence of Thomas Moore," Edited by the Right Hon. Lord John Russell, Vol. III., p. 213.

sit in judgment on it, and send me all your opinions sincerely given.

I have met some eminent literary characters lately, and, many of whom I had formed high notions, fall far short of my expectations.

I will say no more about these; and at your peril keep my gossip to yourself. Hap! hap! it is dangerous to meddle with edged tools; a chip, from an angry homme de lettres, would cut deep.

I have had opportunities of coming into close contact with Geoffry Crayon; he is as natural as his sketches—a man who would play with a child on the carpet, and one of the few literateurs I have known, whose face and character are in sincere keeping with his talents.

I have found, that to write fine and enthusiastic passages in a book; to deify virtue and honor, and melt with pathos, it is not always necessary to have a heart. Genius is frequently the artificer; mimicing rich feelings and warmth of soul, while the writer may be cold and vicious. Put it out of your head, that genius and worth always go hand in hand; the reverse, it has been my lot to know, alas! too often.

To return again to your tale. Two of the personages do not stand out sufficiently from the canvass. Aim at distinctness and at individuality of character. Open Shakespeare, and read a play of his, then turn to the list of dramatis personæ, and see and feel what he has done in this way.

Of a dozen characters, each is himself alone. Look about you; bring to mind the persons you have known, call them up before you; select and copy them. Never give a person an action to do, who is not a legible individual. Make that a rule, and I think it ought to be a primary rule with novel writers.

Suppose one was to get a sheet of paper; draw up thereon a list of persons, and after their names, write down what kind of human beings they shall be, leaving no two alike, and not one generalised or undrawn. After Shakespeare, Scott is the great master-hand of character, and hence, one of his sources of great power. To shew you clearly what I mean; not a creature we ever met in our father's penetralia, resembled the other. There might be somewhat of a conventional, outward similarity, arising from their pursuits, habits, and amusements being similar; but each was, notwithstanding, distinct.

I think that in writing a tale, every character in it should be drawn from nature. It is impossible all should be absolute originals. Human nature being the same, in all ages, and in all climes, it cannot be hoped now-a-days, that a writer can be the discoverer of a new character. It can be no more than the same dough, somewhat differently shaped. Habits of country, habits of station, habits of any kind, will diversify; but human nature is the same now that it ever was. I say one can scarcely draw an original character; but I say, draw like nature; no matter what kind of nature you draw from, provided that the likeness be not that of a disgusting object. After all, there is nothing common-place in nature.

Since I am on this, I may as well tell you, how as I think, character ought to be marked. Apart from propriety of language and thought, fit words and fit ideas for each person, (and by the way lift up both your hands, and wonder how Shakespeare makes his people walk before you *without any other means*) character can be indited, by portraits of the face and person, with allusion to the expression and conformation of both; by painting dress, by describing gait, motion, gesticulation, and by the tone of the voice sometimes. I here purposely omit the downright easy way of telling us at once, that a man is a good, or a wicked fellow. If you sharpen your eye and ear on these points, I see you are pretty sharp already, you can, either from your recollections, or present and future study, in society, and among men and women, every hour in the day, gain truth, and conviction, and pleasure.

If either of us could only delineate the peculiarities we daily witness in those we meet, success would be the result. All will appreciate a likeness; and the artist who can convince every beholder, that he has transferred to his canvass, each peculiar mark of the individual he paints, will be praised, and he deserves it.

For example, only draw well for me in a novel, little round-paunched, puffing Rogerson M——, who used to lament so pathetically over the hardships of a soldier's life, when as a member of his yeomanry corps, he was ordered to mount guard. Give me the clinging of his wife and daughters, round their unwieldy, asthmatic warrior, as he issued forth, to sit all night before a good fire in the tholsel of Kilkenny, and drink his punch to give him valour. No enemy within forty miles of him, and he, doughty hero, physically unable to

raise his ponderous musquet to his shoulder, were twenty rebel pikes coming full tilt against his wizend.

Many of his brothers in arms occur to my mind just now. Johnny M——, the linen draper, who bore no good will to the house of Hanover, 'being Protestants,' but who, to escape the very improbable fate, of being hanged as a papist on the permanent gallows at the gaol door, put on the King's livery and groaned and sweated beneath the King's firelock—Johnny M——, whose 'quick march' was a gouty trot, and who would not, in obedience to orders, or by persuasion, put a bullet into his gun, lest, in his own words, 'It might hurt somebody.'

Paint for me to the life, our old parish priest, Father O'Donnell, hat, wig, jock coat, worsted stockings, shoe buckles, as he appeared and spoke, when he patted our heads, and approved of our proficiency in catechism.

Give me Tom Guinn, hat, gaiters, watch, pipe, and his horn tinder box; his peculiar jokes, his frequent big words, and his gurgling laugh at his own conceits. For a reckless bully, boy and man, remember Michael B——. I might, but I will not here, increase the list.

Get fourteen or fifteen of any of the persons you ever knew; put them into scenes favourable to their pecularities, their individualities can be exemplified, without straining after the point; in proper situations, set them talking for themselves; by their own word of mouth, they will denote their own character, better than any description from your pen; thus will you dramatise your tale, and faithful drama is the life and soul of novel writing. Plot is an inferior consideration to drama, though still it is a main consideration.

Do not say that I am dictatorial, or that I consider you to be a subject for a drilling; but let us unaffectedly compare notes as often as we can, and both will be benefited.

This long letter of mine is a disjointed affair, taken up from time to time as I find opportunity; all the remarks are thrown in a hurried, and of course disarranged way together, but you will, for my sake, endeavour to reduce them to method.

A few words more, as to the mode of studying the art of novel writing. Read any first-rate production of the kind, with a note book. When an author forces you to feel with him, or whenever he produces a more than ordinary degree of pleasure, or when he startles you—stop and try how he

has done it; see if it be by dialogue, or by picture, or by description, or by action. Fully comprehend his method; his means for the effect, and note it down; write down all such impressions. Enumerate these, and see how many go to make the combined interest of one book. Observe, by contrasting characters, how he keeps up the balance of the familiar, and the marvellous, humorous, serious, and romantic.

This would not be imitation, it would be study; what, I will venture to say, great men have done with their predecessors—what painters do in the study of their art."

Whilst thus directing his brother, he was anxiously engaged in various literary employments, and all his leisure was given up to the construction, and composition of his portion of the tales. His wife's health was still very weak, and was a cause of constant anxiety. He had, as his own ailments decreased, commenced anew that over-taxing mental labor which had before affected him so disastrously,—and again the pains of head and limbs returned, and once more he was forced to lay aside his pen; on this occasion, however, the attack, although fully as violent as either of the former, was not of so long continuance, and when again at his desk he was gay and hopeful as ever,—and he wrote to his father thus:—"I am snug: calculating like a spider in his corner. An unlucky simile by the way, in every respect—save the curious perseverance of the insect."

This illness had, like the other attacks, rendered him, as he said, "tight;" but he no longer thought of seeking a refuge at home, as his reputation was now fully established with the publishers of serials; and in Arnold he had a judicious, yet kind friend. His chief care still arose from the ill health of his wife—and hoping that this might pass away, and that with time he might, by his own genius, gain a competency sufficient for the support of all whom he loved, he wrote the following letter to Michael; it is creditable not alone to the writer, but to all whose names are mentioned in it:—

"*London, June 2nd,* 1824.

My dear Michael.

My poor Ellen is improving. My anxiety is principally on her account, and she repays me by affection. I always thought, that if knapsacked with a responsibility, I would not

be deaf or negligent to or of my duties, and I trust I have proved that this opinion of myself was not self-flattery.

That my dear Ellen, and my dear Joanna, should live together in love and unity, is my great wish and my hope too. To see them working, or reading, or making their womanly fuss near me, and under my roof, and mutually tolerating and helping each other, and never talking loud. And my mother, my dear, dear mother, sitting in her arm chair looking at them, with her old times placid smile; and my father and you doing whatever you liked. Tush! Perhaps this is foolish and utopian of me. Yet we *must* live together: that is the blessed truth. Such a set of people were not born to dwell asunder. And, perhaps, the old times would come back again after all. What is the reason, I ask, that, after a little while, we should not club our means, and dwell, as Mr. Owen preaches, in one big house, every mother's son and daughter of us; and have good feeling, good taste, and economy presiding over us? More unlikely things have happened. After the world is seen, it does not bear to be gaped at every day; and the only true aim of a rational creature ought to be, humble independence on any scale, and the interchange of those little and tireless amiabilities, that in a loving, and virtuous, and temperate circle, make life indeed worth living for—to me. And without these life is a compulsion; a necessity to breathe without enjoyment—to sweat without a reward."

These longings for home life were but day dreams: the visions of that cloud-land future of which we all, at times, catch glimpses, but into whose happy valley we seldom enter.

Although these intended kindnesses to his family were but things of the future, there were kindnesses of the present to be performed, and of these Griffin was still the object. They were fast friends, and Banim consulted him frequently upon the merits and demerits of the tales, as the brothers proceeded in the work; and yet a coldness, for a time, checked the growth of their friendship, and might have destroyed it for ever but that each was good and true in heart. It was not a quarrel, rather a misunderstanding commencing through some *apparent* slight done to Banim, and increased by Griffin's morbid delicacy, and horror of patronage. Of the causes of this misunderstanding we gather the following facts, from various letters appearing in Griffin's *Life* by his brother:—

"The looking for lodgings, for an engagement, and several

other matters took up my time so entirely, that I was compelled to break an appointment I had made with Banim, that I would call on him for a particular purpose—to have my criticism as he did me the honour to say—on a work which he is sending to the press, and which so far as I have read, is really a delightful performance. The consequence was, when I did call, it had been sent off, and though his manner was as friendly as ever, I could see that what he considered the neglect had somewhat cooled him. I could not explain then, and I perceived that he thought the apology I did make, a very lame one indeed. However, I did explain after nearly three weeks absence, and received two or three days since a letter full of kindness and friendship; in short every thing that I could wish. I should almost like to transcribe part of it here; it would so fully show you what manner of man he is." In another letter of a later date he says: "You ask me of my dramatic prospects. I have done nothing—I *could* do nothing in them while I was prevented from calling on Banim, my kind, my true friend, which I have not done these two months. The restraint in this instance is absolute torture to me, when I consider what a cold return I must appear to make to his most friendly and pressing invitations. Since I wrote last I have heard or seen nothing of him." "I cannot tell you here the many, many instances in which Banim has shown his friendship since I wrote last; let it suffice to say, that he is the sincerest, heartiest, most disinterested being that breathes. His fire-side is the only one where I enjoy anything like social life, or home. I go out occasionally in an evening, and talk or read for some hours; or have a bed and leave next day."

So far we can understand the kindness of Banim, and Griffin's hearty appreciation of it, but when the latter had been, as he stated, two months absent from Brompton Grove, Banim thought that some serious obstacle must have interposed to cause so long an estrangement. He accordingly sought Griffin's residence, and with much difficulty discovered it—"a small room in some obscure court near St. Paul's." Griffin was out; Banim called again next day, and with no better success; and upon questioning the landlady as to the apparent circumstances of her lodger, he was shocked at finding that Griffin was badly dressed, still more poorly fed, in low spirits, and rarely going abroad by day, fearing to encounter his acquaintances in his

pitiable condition. It was low enough, and Gerald, afterwards, in a letter to his father and mother, described its horrors:—

"It was then I set about writing for those weekly publications; all of which, except the Literary Gazette, cheated me abominably. Then, finding this to be the case, I wrote for the great magazines. My articles were generally inserted; but on calling for payment—seeing that I was a poor, inexperienced devil, there was so much shuffling and shabby work that it disgusted me, and I gave up the idea of making money that way. I now lost heart for every thing; got into the cheapest lodgings I could make out, and there worked on, rather to divert my mind from the horrible gloom that I felt growing on me in spite of myself, than with any hope of being remunerated. This, and the recollection of the expense I had put William to, and the fears—that every moment became conviction—that I should never be enabled to fulfil his hopes or my own expectations, all came pressing together upon my mind and made me miserable. A thousand, and a thousand times I wished that I could lie down quietly and die at once, and be forgotten for ever. But that, however, was not to be had for the asking. I don't think I left any thing undone that could have changed the course of affairs, or brought me a little portion of the good luck that was going on about me; but good luck was too busy elsewhere. I can hardly describe to you the state of mind I was in at this time. It was not an indolent despondency, for I was working hard, and I am now —and it is only now—receiving money for the labour of those dreadful hours. I used not to see a face that I knew, and after sitting writing all day, when I walked in the streets in the evening it actually seemed to me as if I was of a different species altogether from the people about me." *

These painful circumstances were sufficient to sour the mind of any man; and, doubtless, Griffin looked on all the world around him with disgust, whilst Banim, rising in fame, saw, as indeed he ever saw, save when racked by pain, only the bright side of life. He returned to Brompton Grove, from the poor lodging of his friend; he wrote to him kindly, and openly, yet delicately, offering pecuniary aid freely, as he had already offered and given the assistance of his counsel and of his influence, and Gerald, the kindest, fondest, most patient

* See "Life of Gerald Griffin, Esq. By his Brother." p. 138.

soul, in all the suffering, enduring thousands of the great struggling city in which he lived, was so warped from his own proper self, as to reply coldly, and abruptly, and with a harsh refusal, to an offer which sprang, as he then thought, from pragmatic and impertinent officiousness. The coolness was, however, but for the day: Griffin hardly knew why he deemed himself offended. As his biographer writes:—"It seems to have been a mystery even to himself, if we may judge by the following introductory sonnet to 'Suil Dhuv,' one of the 'Tales of the Munster Festivals,' in which he evidently alludes to it. There is something affecting in the little pleading allusion he makes to his struggles and ill success, and in the humble confessing spirit in which the sonnet is written. It would appear too, from the first of those passages which I have marked by italics, that there was nothing in Mr. Banim's manner of conferring the favour, that in Gerald's opinion could at all justify the mode of its rejection:—

I hold not out my hand in grateful love,
  Because ye were my friend, where friends were few,
Nor in the pride of conscious truth, to prove
  The heart ye wronged and doubted, yet was true—
It is that while the close and blinding veil,
  That youth and blissful ignorance had cast
  Around mine inward sight, is clearing fast
Before its strengthening vision—while the scale
  Falls from mine eye-balls, and the gloomy stream
  Of human motive, whitening in my view,
Shews clear as dew showers in the grey morn beam,
While hearts and acts, whose impulse seemed divine,
  Put on the grossness of an earthlier hue,
I still can gaze and deeply still can honour thine.

II.

Judge not your friend by what he seemed, when Fate,
  Had crossed him in his chosen—cherished aim,
When spirit-broken—baffled—*moved to hate*
  The very kindness that but made his shame
More self inducrd. He rudely turned aside
  In bitter—hopeless agony from all,
  Alike—of those who mocked or mourned his fall,
And fenced his injured heart in lonely pride.
Wayward and sullen as suspicion's soul!
  To his own mind he lived a mystery—
But now the heavens have changed—the vapours roll
Far from his heart, and in his solitude,
  While the fell night-mares of his spirit flee,
He wakes to weave for thee a tale of joy renewed."

Whilst these events were occurring Banim had disappointments, and sources of uneasiness, quite as depressing as those which surrounded Griffin. His tragedy, *The Prodigal*, had been accepted at Drury Lane Theatre early in the year 1823; the parts had been cast, and it was supposed that the great Edmund Kean was satisfied with his character in the piece. Such,

however, was not the fact: Kean had grown fastidious in his parts, and thus it became a matter of impossibility to produce the piece at Drury Lane; and Banim, being unwilling to risk its success with less able performers, withdrew it from the hands of the manager, and it was never afterwards offered for representation. He thus states the causes of its nonproduction, in a letter to his father and mother, and it is worthy of notice, that even with the depressing fact before him—that his play was unacted not through want of merit, but because the chief performer wrangled about his part, the letter is in the following uncomplaining style:—

"*London, June* 16, 1824.

My dear Father and Mother,

Since I had the pleasure to write you some account of my theatrical progress, other revolutions have come round.

Mr. Kean, after accepting his part in my tragedy of 'The Prodigal,' and attending with the other performers, to two readings, has declared that he will appear in no new play which does not give him one superior character. Such is the statement made to me, whether it be true, or but partially true, I cannot positively determine.

After some difficulty I have succeeded in withdrawing the play from the hands of Mr. Elliston of Drury Lane, and expect to have it brought out at Covent Garden, the two principal characters to be played by Charles Kemble and Mr. Young. In better hands they could not be.

I could give you a specimen of green-room jealousies and contentions, that might be amusing, and I may do so at some other time."

A letter was brought to Michael by the same post which bore the last, and in it Banim thus relates the ill success of Sheridan Knowles' play, *Caius Graccus*, and recounts the difficulty which he, himself, experienced in obtaining the manuscript of *The Prodigal* from Elliston.

"*London, June* 16, 1824.

My dear Michael,

Caius Graccus did not deserve its fate. The author, as I learn, submitted to have his production cooked in the green-room—and after the cookery it was 'dished'—to use a cant, signifying that it had been made unpalatable.

I called on the manager for my MSS. 'Oh! yes, yes,

certainly,' he said, 'to-morrow; don't for the life of me know where to lay hand on it. But to-morrow.' On the morrow, accompanied by a friend, I met Mr. E——n; he expressed a willingness to give up the play, 'but really, and indeed, did not look it out since.' Then don't trouble yourself, I said, I have another copy, somewhere. I think I can find that—'Oh! for the world, would not give you such a job—I'll send it to-morrow.' I walked off, and made another perfect copy, which I have now ready for Covent Garden."

The play was not produced at Covent Garden, and though it was considered by those who read it as the most admirable of all Banim's dramatic pieces, though he appears to have prized it highly himself, preserving it with especial care, even to within a few months of his death, yet after a most careful and anxious search amongst his papers, no trace of it can now be discovered.

He still worked closely at the Irish stories; and continually incited Michael to hasten with his portion. He criticized, advised and encouraged the latter, and as a specimen of the style in which these letters were written, we insert the following letter:—

"*London, July 10th*, 1824.

My dear Mike,

I think I recognise your tithe-proctor, Peery Clancey, the portrait is so accurate I could not mistake the gentleman. Your next door neighbour, Mickle Ryan, is your original, and you have not outstepped nature, or misrepresented facts, in the slightest degree.

You have given some of my people a good castigation; you have frightened me in fact, and almost made me hopeless of them. Don't spare one of them, however—better *you* should deal with them, than critics of less bowels or humanity.

You must adopt my amendment. The woman, singing the keenthecawn, must be the mother of Terence, not his wife; kill his wife, I decree her death; by slaying her, you give a very rational increased incentive to the wretched widower's thirst for vengeance.

You tell me you intend to cut off the proctor's ears: slice them close to his head by all means: do not leave a shred: no honest man will say that he does not deserve the cropping."

His wife's ill health, and a slight attack of his own pains, were again pressing upon his slender resources; and being unwilling to delay his task, the completion of the tales, by entering into any new engagements with publishers, he earnestly and anxiously endeavoured to discover some means by which his purse might be replenished speedily, without much labor or delay. His last sovereign had dwindled to half; his credit he did not wish to test, and with ideas quickened, by what John Taylor quaintly calls, "Wit's whetstone, Want," he resolved to correct, and offer to the publishers, a series of miscellaneous essays which he had, from time to time, composed, and which now swelled to the proportions of an octavo volume. He arranged the manuscript for inspection in a few hours, and early the following morning set out in search of a purchaser. He valued the papers lightly, and his hope of finding a publisher willing to buy them was almost forlorn. Mrs. Banim spent that lonely day in anxious expectation of his return. At length, late in the evening, he entered their little drawing-room. He looked weary, and despondent, and seating himself by his wife's side, he gazed mournfully in her sad face: he drew her towards him, kissed her tenderly, but spoke not a word. She feared to question; and after he had sat in silence for a minute, he sprang from his seat, crying, "Ellen, my darling, hold out your dress for a present," and in a moment he threw into her lap a shower of bright clinking guineas—and kissing her once more, whilst his eyes laughed out in all the joy of his heart's triumph, he cried, "There, Ellen, there are thirty guineas, the price of the essays."

The essays thus opportunely disposed of were published in 1824, in one volume, by Simpkin and Marshall, and bore no author's name: they were entitled, *Revelations of The Dead-Alive*, and extended to 376 pages. In the first chapter, the rather odd title of the book is thus explained. The writer states himself to possess the power of sleeping at will for lengthened periods, and during these periods he possesses the faculty of, as it were, going out of himself—a species of self-acting clairvoyance. He has been enabled, by a peculiar American root, to extend the periods of sleep to a length much beyond that which, by his unaided power, he could accomplish. After a slumber of one hundred and ninety-eight days and a quarter, he is enabled to relate, and does record in the succeeding chapters of the book, the events

of one hundred and ninety-eight years and a quarter; or, as he writes,—"I was dead one hundred and ninety-eight days and a quarter, and for every day I saw a year of time; so that when I came to life again, I had observed what was, and is to be, in the lapse of one hundred and ninety-eight years and a quarter; a year for each day;" and in the relation of his experiences consist the *Revelations of The Dead-Alive.*

The "Revelations" are, for the chief part, very clever hits at the follies, fashions, and manners of the year 1823. Amongst the fashions, or follies, of that period, was a most absurd reliance on the system of Phrenology, then rendered a very imposing question by Gall, which Banim thus satirizes:—

"They spoke of a gentleman who had invented a new and approved science of moral physiognomy, deduced from Messrs. Spurzheim and Gall; and deduced I may in every sense say; for leaving them in possession of the head, it seized on the feet; thus, perhaps, pushing the matter to extremities. Mr. Klapptrapp made the cover of leather usually worn by these members, equivalent to the integument of the cranium, in Mr. Gall's system; and hence his science derived its name of Ocreology. Prior, I believe, has ingeniously set to work, in his smart poem of Alma Mater, to discover the residence of thought in the human machine; and, if I mistake not, traced it indifferently to the limbs. Such, at least, was the floating recollection in my mind, that, at the first mention of Mr. Klapptrapp's theory, made me think something might come of it.

Mr. K.'s attention was first seized by observing that after a man has worn a boot or shoe for a considerable time, his feet give it a particular set, and also particular markings, that raise and fix the leather at certain points of the insteps and toes, into greater or smaller convexities: these, in the end, become confirmed on the outward surface; so that when the shoe or boot is even thrown away, or cast aside for ever, they keep their places and shapes. The varieties of bumps thus insured to boots and shoes were, he next observed, as endless as the varieties of human talent and general character; and here, and at once, was a coincidence too remarkable not to be curiously analyzed.

So, Mr. Klapptrapp became industrious; and in the very infancy of his inquiries, ascertained the strong-marked difference between the bumps conformed on the boot of a very vulgar and brutal man, and that of a very refined and amiable man. No one, he well remarked, can have been without noticing the horrid conformations acquired by the boots of a huge waggoner or Smithfield badge-man, who from constant use of same has fully impressed them with the knuckles and twistings of his broad, bullock-like, splay-foot. Only hang up by their side a pair of genteel old boots, such as may have been worn, even to the welt, by a scholar or philanthropist, and can you not instantly vouch the exact kind of intellect and heart that

once put in motion the different limbs to which both were once appended?

This was the foundation of Mr. Klapptrapp's system. He followed it up with a zeal, a perspicuity and minuteness I cannot pretend to detail; first contrasting general differences, and then, his eye and intellect becoming quicker by practice, at last establishing the nicest subdivisions and distinctions; so that bring him a pair of cast off shoes or boots he had never before seen, and he told you, within a bump, of the wearer's talent and morality.

When Mr. Angle introduced me into his study, we carried with us a pair of shoes that had been left behind by a man recently hanged for a shocking murder; and the moment Mr. K. laid his eyes on them, he proclaimed their sanguinary conformation. In this he was fully warranted by the appearance of the organ of destruction, which, as I recollect, is formed by an unusual swell of the outward knuckle of the great toe, leaving a correspondent knob on the outside of the shoe or boot; and which, in this instance, peculiarly verified its nature by having burst through the leather on or about the night when the homicide committed his bloody act.

We found the philosopher surrounded by rows over rows of old boots and shoes of every possible class; and I listened with much interest and deference to his lecture of some hours, upon the virtues or vices, genius or stupidity, of those by whom they had once been worn. There was the last pair of Waterloos that John Thurtell had doffed, authenticated by certificates under the hand of each collector of curiosities who had possessed them, from Lavender or Ruthven down to Dr. Klapptrapp; and the benevolent and cautious, and heroic cut-throat and brain-pounder came in for his future as well as present vindication. By felicitous chances other shoes and boots of other remarkable characters of this day, had been snatched from oblivion: but while all proclaimed the admitted and general excellence of the individuals they professed to illustrate, they also suggested curious differences, in minute points, indeed, between the real and self-asserted characters of some of those persons. Lord Byron's boot, for instance, wanted the organ of amativeness; hinting that notwithstanding all a man may rhyme about the passion, he need not, as a consequence, ever feel it; or, the *vice versâ*, that as Shakspeare says, one may be

——'over *boots* in love,
Altho' he never swam the Hellespont.'

Neither did Mr. Hazlitt's shoe exhibit much of this organ. I was surprised to see a pair of Sir Walter's evince almost as much Constructiveness as Ideality, and not so much Secretiveness as I had expected. Wordsworth, after all, left behind him a pair of shoes indicative of little veneration, while Time, Tune, Order, Casualty, and Locality, were jumbled together in them. Mr. Southey's had a strong bump of self-esteem; now equivalent to self-conceit; Ugo Foscolo's had no Combativeness; Coleridge's no Form; Hogg's no Wit; the author of Lacon's no Inhabitiveness; and Bowles's very little Weight and Momenta.

It will be here remarked, that Mr. Klapptrapp had unceremo-

niously transferred to his leathern knobs all the organic names invented by his predecessors; which, however common to both the names might be, I own I regarded as a plagiarism unworthy of his genius."*

Banim did not, however, spare the literary profession. That was the age of reviewing—in the sense in which Macaulay understood it—ten pages to himself to ten lines of his author; or reviewing was committed in another manner, but by inferior minds—one connecting page of the review to ten pages of the author; and thus, when poetry was before the critic he became, to the injury of author and publisher, nothing more than a paste and scissors purloiner—and might truly say with Falstaff,—"I have abused the King's *Press* most damnably."

Of these two classes of reviewers, and of the newspaper critics, the "Dead-Alive" thus expressed his opinions:—

"'How many periodicals have you?' said I.

By act of parliament, three. *There* was another curse of the age we have so often alluded to, and one other slow but sure rot in its literature. Every periodical, great and small, had its own friends, and its own coterie, or its own political opinions, and, right or wrong, mawkish or extravagant, as innovators might have been, they were partially deified, and their literary opposites run down in the same breath: and thus a most dangerous jumble of tastes frittered away the public mind, until puzzle begat languor, and languor indifference, and both an utter neglect of every new book and author.'

'It seems to me,' I continued, 'that in another view, periodicals must have produced the decay you speak of. A small volume of poetry costs five shillings, and it will contain the bad as well as the good of an author; and you thus purchase his errors and slips, which you don't exactly want, along with his brilliant bits and savoury passages. Behold, on the other hand, a grand army of reviews, of all shapes and prices, from five shillings down to fourpence, in many of which was to be had the cream of from five to five-and-twenty authors together, carefully skimmed for your sipping palate, and ready for use at your tea or coffee in the morning. Moreover, you bought ready-made opinion for your money, a few shillings or pence, as it might be, and so were saved the trouble of forming your own. And what man or miss in his or her senses might be expected to pay a great deal for so little, when, with a little, he or she could have the great deal?'

'No one did so,' said Mr. Drudge: 'the 'reading public' rested satisfied with periodicals alone, and the author was left on the publisher's shelf. Of course no author would continue to write for the profit of other persons only; so the pen was at last totally abandoned, and the sole comfort resulting to authors was, to see their

* See page 348.

monstrous tyrant, the periodical press, sharing with themselves a common ruin and oblivion.'

'The periodical press!' I exclaimed—'truly, sir, it was a species of steam-loom, or threshing or winnowing-machine, that, with its short methods and unnatural despatch, threw thousands of honest people out of bread.'

'I wonder,' said Mrs. Drudge, 'they never rose out against it, as, about the same time, the indignant trades, weavers, and spinners, and carders, rose out against the mechanical encroachments, monopoly indeed of Manchester, Glasgow, and other manufacturing places.—Surely, if the great body of authors were united, (but that was, in itself, rather a difficulty), one night would have been sufficient for the demolition of all the periodical presses in London and Auld Reekie.'

'Or I should have chosen a more legal proceeding,' said Mr. Drudge. 'It is my fixed opinion that a good action—Authors *v.* Reviewers—might have been made out, to go, for damages, to a special jury, in King's Bench. I think an author might have crippled them in a thumping verdict, not on account of their defamatory praise or censure, but on account of their piratical quotations. Where was their right to re-publish, without end, the best part of a man's book? Was it not as black piracy as if the promulgators of the sixpenny Cain did so, without any dull or prattling remark at the head, the tail, or between the passages?'

'Here is a curious little book, that, among other curious things, gives us some notion of the views entertained by applicants for employment to a periodical editor, of their self-measured fitness for the office,' resumed Mrs. Drudge; 'shall I read from it a letter found among the papers of a gentleman, who, it would seem, once swayed a miscellaneous periodical of the time?

'*To the Editor of the Universal and Multifarious Magazine.*

Sir,

Being at present disengaged, I have no objection to tender my services for the advantage of your respectable journal. I do not much care into what department you may put me, as I think I shall be found fit enough for any. Indeed, if agreeable to you, I should rather like to do, now and then, a little on every topic. I write essays off-hand on all subjects. I am particularly liable to be struck with the minutest errors of a literary work, and particularly slow at comprehending what an author means by a beauty: hence you can estimate my capacity for your review sheet. By the help of a lexicon, and a friend of mine, a young Cantab, I scruple not to say I should be quite competent to detect the bad orthography of a Greek quotation; and should an error happen, you know we could lay it either on the author or the printer, as might suit our convenience. I make poetry, myself, on one leg, so you cannot doubt my capacity to be a flogger and mangler of all new poems, particularly the successful ones. By the way of poetry, I have a large blue book of original sonnets, odes, &c. lying by me, with which I shall be happy to harmonize your last sheet, on reasonable terms; but I wish it to be under-

stood, that they must go in at double the rate of my prose contributions.

Send me to the King's Theatre, if you like: I am no great adept myself, nor indeed can I boast a good ear, and in honest truth have never heard an Italian song; but a musical dictionary is within my reach; a dear friend of mine frequents the opera: so I could manage a brisk technical paragraph for you. Of the drama I ought to know something: I have trod the boards myself, before now; and since then have written a play which would have astonished the town, if the silly managers had produced it. So don't spare me at Drury Lane or Covent Garden.

But I request one department entirely to myself—the fine arts: for although I know little of the matter, my brother is an artist of long standing; his pictures have been twice turned out of Somerset House, and he promises to furnish me with critiques on the works of the council, and particularly of the hanging committee. As to the rest, I know no subject more easily handled by a writer completely ignorant of it. Only compile a list of painters' names, and the cant of the painting room; boldly arraign Sir Joshua's lectures; compare pictures and styles that may be as antagonist as north and south; slip in such terms as glazing, and scumbling, and toning, and keeping; conclude by saying your kettle is singing to make whiskey punch, and the thing is done.

HORACE HANDY.'"*

Once more the dreaded malady returned, and days of pain were succeeded by nights of sleepless watching. Still he bore up manfully against all odds, and, amidst his sorrows, the dear friends of the old house in Kilkenny were as close to his heart, and as warm in his memory as ever. He wrote thus to Michael:—

"*London, November* 15*th*, 1824.

Dear Michael,

Tell me how this weather treats my poor mother. As to me, leaving me otherwise in good health, it brings a score handsaws, chisels, and corkscrews, to work all at once, on every inch of my thighs, legs, shins, feet, and toes. I roar out from the pain, and I cannot restrain myself: the other night I was awake from lying down to rising, all the while in torture."

This attack was not of long continuance, and with the new year, 1825, came the satisfaction of having completed the *Tales By The O'Hara Family*, for the purchase of which he was, in January, in treaty with Colburn.

* See page 113. We have given these extracts as specimens of a work little, if at all, read in these days, and as affording an example of Banim's ability in an excellent style of light composition, very dissimilar to that for which he is best known.

Here, reader, we end the third part of John Banim's Biography. We have passed with him through the two most important years of his life; we have seen him planning with his brother the series of national tales which have made him world known; we have learned the pure and honest objects to the attainment of which he aspired; we have seen him married to a portionless girl, and daring the frown, and welcoming the smile of a Fortune—when adverse, borne patiently—when befriending, but the well merited reward of hard and cheerfully endured labor; we have seen his first successes in literature, and we have marked his disappointments too—and be it remembered—disappointment to him included privation; we have learned his open-hearted, active goodness to Gerald Griffin—at a period when he himself required rest and support; we have read his own account of the woful sickness of his wife; we have read his description of the pangs which he endured, by night and day; it is a short account in truth, for he feared to afflict the old people at home—if he should be Philoctetes the winds should bear no moans of his;—and though, in the future history of his life, there are records of awful physical suffering, yet he never complains whilst he can "teaze the brain" to "keep the fire in and the spit turning;" he has no sorrow, for words, whilst Ellen is well, whilst his child, his

——"May in her crown of flowers,"

plays around him; whilst the mind could work, what mattered the ills of the body, wife and child were to be supported; to secure this was a care, but it could be accomplished, its accomplishment was a pleasure and a glory,—and whilst this was certain, whilst they were by his side, Banim felt, to the very deepest depths of his soul, the wisdom of Southey's beautiful thought—"Little do they know of human nature who speak of marriage as doubling our pleasures and dividing our griefs: it doubles, or more than doubles both."

Art. III.—CONVICT SYSTEMS—PAST AND PRESENT.

1. *Reports of the Directors of Convict Prisons, on the Discipline and Management of Pentonville, Parkhurst, and Millbank Prisons, and of Portland, Portsmouth, Dartmoor, and Brixton Prisons, and the Hulks, for the year* 1853. Presented to both Houses of Parliament, by Command of Her Majesty. London: George E. Eyre and William Spottiswoode. 1854.

2. *Annual Report of the Inspectors of Government Prisons in Ireland, for the year ending* 31*st December*, 1852. *With Appendices.* Presented to both Houses of Parliament, by Command of Her Majesty. Dublin: Alexander Thom and Sons. 1854.

3. *Report on the Discipline and Management of the Convict Prisons, and Disposal of Convicts*, 1852. *With Notes on the Convict Question, Construction of Prisons, Hard Labour, &c., &c.* By Lieutenant Colonel Jebb, C.B., Surveyor General of Prisons, Chairman of the Directors, &c. Presented to both Houses of Parliament, by Command of Her Majesty. London: George E. Eyre and William Spottiswoode. 1853.

4. *An Act to Substitute in Certain Cases, other Punishment in lieu of Transportation*, 20th August, 1853.

5. *Chapters on Prisons and Prisoners*, by Joseph Kingsmill, M.A., Chaplain of Pentonville Prison, London. Third Edition. London: Longman and Co. 1854.

6. *Crime: Its Amount, Causes, and Remedies*, by Frederick Hill, Barrister-at-Law, Late Inspector of Prisons. London: John Murray. 1853.

We have endeavoured, in a previous paper, to lay before our readers some information respecting the improvements which, from time to time, have been adopted in Prison Discipline, from the period when Howard first awakened public attention to the subject by his indefatigable exertions, and exhibited in detail the enormities then practised in the management of common gaols. In the course of the narrative we took occasion to dwell, at some length, on certain principles, the importance of which is generally acknowledged, and which

cannot be overrated; principles which must more or less form prominent features in any system of punative discipline which would now claim or deserve public sympathy and support,—Educational; Reformatory, as distinguished from deterrent, discipline, and Separate confinement.

On the harmonious combination in practice of each of the above principles, depends the successful issue of our efforts for the reformation of the criminal and the diminution of crime: without them, no matter how severe the course of discipline applied may be, failure and disappointment must assuredly follow; nor is the necessity of such a result difficult to understand. Fear, though exercising an important influence over men's minds, is far from being the most powerful passion implanted in us by nature;—hence the error. Love, hatred, jealousy, and revenge, influence the human mind, and rouse men to the commission of deeds which neither the consequences entailed by the actions themselves, nor any fear of personal pain or punishment is sufficient to restrain. To address therefore, all our efforts to the single passion of fear, to heap penalty on penalty, and to write the sanctions of our penal laws in blood, if such were possible at the present day, would manifestly be unphilosophical, and must naturally fail to check the progress of crime. At a time when the penalties imposed by law were far more deterrent than they now are, when death awaited the unhappy man who, suffering perhaps the pangs of hunger, stole some matter of trifling value to support a miserable existence, honesty was as rare a virtue as at the present day, nor were men deterred by so formidable a penalty from the gratification of their vicious appetites. We do not disregard the importance of acting on that fear of punishment which is implanted in mankind, or of dealing with it as a valuable instrument in frightening men from crime; but it is clearly a mistake to rely upon it as the *only*, or even as the *most* efficacious means of attaining the desired end. By subduing the stronger passions of our nature—revenge, jealousy, and lust; by encouraging and promoting the nobler qualities of love and gratitude, and by stimulating the innate consciousness of right and wrong, we may safely hope to reform the criminal, and deter him from a course of sin, not by the mere dread of physical pain or suffering, but by the action of a higher principle—

> "For fear but freezes minds, but love, like heat,
> Exhales the soul sublime to seek her native seat."

To the classes of society whence criminals of superior education come, prison discipline ought, without question, to partake of the deterrent character, since by the education they have received they are in a measure left without excuse,—and in point of fact it does so. To such, the loss of liberty and the various luxuries of life to which they are attached, the discipline of a prison and the deprivation of that self-indulgence and ease in which they love to spend their existence, must prove a powerful deterrent, where higher motives are wanting. But the number of such persons forms a small proportion to the masses of our criminal population. Of the latter, destitute of education, and fit objects of our pity—

> "All are wanderers, gone astray
> Each in his own delusions; they are lost
> In chase of fancied happiness, still wooed
> And never won."

With these, mere deterrent punishment must fail in its object, unless accompanied by an amount of cruelty against which our feelings of humanity rebel, and which under any circumstances, is criminal and unwarrantable,—"What is the waste of gold," inquires Mr. Recorder Hill, "or of precious stones, or of any earthly wealth, compared to the waste of human suffering?"*

We came to the conclusion therefore, that Education, Reformatory treatment, and Separate confinement, must form the chief and prominent characteristics of an improved system of prison discipline. It may be, and no doubt is, a question, upon which much difference of opinion exists, and one which we can hardly expect to solve without the benefit of further experience, how far they may be best combined in practice, to what extent each should be carried, and during what period of the sentence separate confinement should be enforced.

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* See charge of M.D. Hill, Esq. Q. C. Recorder of Birmingham, to the Grand Jury, at the September Sessions, 1854.

The cruelty of Lieutenant Austin, late governor of Birmingham gaol, is justly denounced in England, yet the "shot drill," a species of punishment, which we consider both cruel and ridiculous, but on which Mr. Corry Connellan appears to pin his faith, is being introduced into the gaols of Ireland. It would seem that the observation of the learned Recorder, that "the walls of the gaol have not only kept the *bodies* of prisoners in durance, but have had a somewhat analogous effect on the *minds* of the gaolers," is about being verified in the case of Mr. Connellan—we can *now* understand how it is that "shot drill" is so generally approved by gaolers and Inspectors General of Prisons.

The foregoing questions are of vast importance, and present no small difficulty in their investigation; but as we have already devoted so considerable a space to their consideration, and fully explained the views we entertain respecting them, we may proceed to the question more immediately before us. With respect however to education, we would again repeat that it must be based upon God's inspired word, and directed and guided by the truths of His revelation; by inculcating, not the cold maxims of the Arminian School, but the heart-stirring, love-exciting and soul-influencing precepts of true religion. Bitter must be the fruit borne by any other system—disappointment, the natural and inevitable result. In addition to the facts mentioned in our former paper upon this branch of the subject, we would call the attention of our readers to the following extract from *Plint's Crime in England, p.* 182.

"If elementary instruction in reading and writing is of the value stated, or may be taken as an index of other and more powerful influences, then, if the proportion of the criminals who can read is increasing, there ought to be a diminution in crime. The following tables will show whether that is so, or not:—

Instruction of Criminals, 1836.

	Ratio of crime to population.	Number of criminals who cannot read or write.	Proportion to population.	Proportion to all crime.	Number of criminals who can read and write imperfectly.	Proportion to population.	Proportion to all crime.
6 Manufacturing Counties.	695	2305	1902	36·5	3033	1446	53·
22 Agricultural Counties.	655	2979	1792	36·5	3905	1367	43·7
Middlesex.	437	976	1503	29·	1926	761	58.
All England.	657	7385	1883	34·5	10783	1302	52·5

Instruction of Criminals, 1845.

	Ratio of crime to population.	Number of criminals who cannot read or write.	Proportion to population.	Proportion to all crime.	Number of criminals who can read and write imperfectly.	Proportion to population.	Proportion to all crime.
6 Manufacturing Counties.	710	2339	2207	32·2	4274	1208	59·
22 Agricultural Counties.	659	2885	2044	32·3	5161	1123	59·
Middlesex.	383	1113	1507	25·5	2521	665	58·
All England.	641	7437	2133	30·2	14593	1080	59·

"It will be seen at a glance, that whilst the ratio of all crime in the period was nearly at par, except in the county of Middlesex, the proportion of those 'who could not read and write' had fallen 4·3; and the proportion of those who could 'read and write imperfectly' had risen 6·5 on the average of all England. Now, according to the theory under consideration, crime ought to have diminished, but it was at par; and there is the further contradiction of the theory, that the total of the offences committed by both sections had risen 2·2 per cent. The theory is palpably at fault."

Events which have taken place within a very recent period, in the condition of our Australian Colonies, and the changes effected by a late act of parliament for "substituting in certain cases, other punishments in lieu of transportation,"* render the subject now before us, to adopt the words of Lord St. Leonards, "one of the most important social questions of the day." In one particular indeed, Prison Discipline so far as it concerns the management of government convicts, possesses advantages which are not enjoyed under the system pursued in county gaols. The former is placed directly under the control of the executive, and the details of discipline are subject to the direction of a Secretary of State, who, though of course responsible for the proper performance of his duties, is not tied up within the four corners of an act of parliament, and consequently possesses a certain amount of freedom in the exercise of his judgment, and in the introduction of useful and necessary measures of reform. One great object is thereby obtained,—uniformity in discipline, and the speedy reduction to practice of approved principles. Reforms in the management of county gaols cannot be so easily secured or

* 16 and 17 Vic. chap. 99. 20th August 1853.

so rapidly effected. Hence, the discipline adopted in Government prisons is far superior to, and partakes more of the reformatory character, we speak generally of course, than that pursued in County and Borough gaols. The result of this superiority developes itself in a very unequal and prejudicial manner as respects the two classes of prisoners,—those sentenced to transportation or penal servitude, and those sentenced to a period of imprisonment. The former are at once placed under the control of government, and subjected to an admirable system of reformatory discipline; the latter remain in the county gaol, subject to a far different and greatly inferior course of management, if we except the treatment adopted in prisons, such as that at Reading. The consequences of this inequality are very serious; a criminal who commits some great and heinous crime punishable by transportation or penal servitude, is subjected to the correcting influence of reformatory discipline, his morality is improved, his education attended to, the truths of religion are instilled into his heart, he learns some useful trade, and leaves the *Government prison* a reformed character. On the other hand, the criminal who commits some offence not quite so serious, but which nevertheless subjects him to imprisonment for a period, perhaps of three years, passes his time in pernicious association, his morality becomes debased, his mind corrupted, the truths of religion are stifled in his heart, his hours are passed in idleness, or what is worse, in shot-drill—an exercise, irritating, degrading, unequal and demoralizing—and finally leaves the *County gaol* a degraded out-cast from society. To show that we have not been guilty of exaggeration in the above statement, we need only refer to the last Report of Messrs. Galwey and Corry Connellan, Inspectors General of Prisons in Ireland. They observe:—

"A prisoner, for instance, sentenced to four years penal servitude—the minimum period of this punishment—will be forthwith placed in separation, and will be subjected to a code of regulations combining punative and deterrent treatment with reformatory advantages, such as moral and religious correction, and industrial teaching. On the other hand, a criminal sentenced for the same offence, according to the discretion of the judge or assistant barrister, to imprisonment for three years, or some approximative term, will be confined in the ordinary gaol, deficient as it may be in almost every one of the above requisites."

"He will pass his time in 'association' by day and night, receiving or communicating contamination, and in almost total idleness, if hard labor be not added to his sentence; the means of instruction

both in handicrafts and in rudimental education, being too frequently unattainable among turnkeys, who are selected without reference to their fitness, at the mere will of the sheriff, himself a temporary officer, charged with the custody of the prisoners, *but not with the administration of the establishment.* Some of our gaols, we are happy to admit, are honourable exceptions to this description; but wherever a more favourable condition exists it is to be attributed to the personal efforts of the Board of Superintendence, and of the local authorities acting in unison with them, and not to the operation of any common and paramount control."

"These imperfections, although, of course, they affect disadvantageously the whole body of prisoners, press with greater severity upon the females, for whom, as we have repeatedly urged, the accommodation is *disproportionately* inadequate; and upon the juveniles, requiring, as they do, a mode of treatment widely different from that suited to adults."

According to our present course of practice, it would appear therefore, that we do not apply the reformatory process until we have exhausted every means within our power to contaminate the criminal by vicious association. It would seem as if we wanted to procure characters of the worst possible description, to prove what separation and reformatory discipline *can do;* and, like the sentimental villain, in one of Bulwer's novels, who knocks his victim down, and over the prostrate body dwells on the excellency of mercy and humanity, we reflect with complacency on the superior discipline which awaits the degraded victim of vicious association, in the convict prison, and dwell with satisfaction on our own enlightened views.

The superiority of the discipline in use in convict prisons, is as creditable to the government and the gentlemen immediately connected with those establishments—we speak of the establishments in England—as it reflects a just and deserved reproach on the several grand juries who direct the management of *our* county gaols. The pernicious inequality which exists in the treatment of criminals in County gaols and in Government prisons, absolutely holds out an inducement to the commission of crime; and yet this inequality is in a great measure attributable to the apathy of our grand juries on the subject of prison discipline. They refuse, through a false notion of economy, to avail themselves of the advantages offered by an admirable act of parliament—the 3 & 4 Vic. chap. 44, and hence the improvements in County and Borough gaols in Ireland, are characterised by the Inspectors General of prisons

in their last Report—that for the year 1853— as "scanty, imperfect and partial." Now if the evil results of this apathy and obstinacy, or whatever else it may be called, on the part of our grand juries in Ireland, were only visited on themselves, we could afford to smile and pity the imbecility which carried with it its own punishment; but the fact is, either government must stand still in the cause of reform, until the grand juries have also made some progress, an alternative which we fear will amount to a postponement *sine die* of every useful measure of reform, or something must be done to stimulate them to activity. It is all very well to endeavour to awaken public opinion, to point out to grand juries the course it is their duty to adopt, and to suggest the reasons which ought to influence them;—this is as much as we can affect to do, and we have done it to the best of our ability—but if this method fails, some other means must be adopted to secure the performance of those duties in the cause of social amelioration which are properly their own, but from which they appear anxious to escape.

Though experience has long since proved transportation to be insufficient to reform the guilty or deter the criminally disposed, it has continued during a period of seventy years to be the chief secondary punishment inflicted for the commission of crime: its history is inseparably connected with that of the convict question. We propose therefore to lay before our readers a narrative of the systems heretofore adopted, to enable them to decide upon the necessity which has so long existed of some change, and to conclude our observations with a review of the present condition of the modified system lately introduced.

By an act of Parliament passed in the eighteenth year of the reign of Charles II., Judges were for the first time empowered to exile for life to any of his Majesty's possessions in America, the moss-troopers of Cumberland and Northumberland. Subsequently, transportation became more general as a secondary punishment, and compulsory labor at the place of exile was after a time added; at a later period, an interest in the labor of each prisoner, during the period of his sentence, having been conferred by the 4 George I., cap. 11, upon the parties who contracted to transport them, convicts were usually sold to the planters, and employed by them upon their estates. The loss of our American dependencies

terminated this system, and the question at once arose, how prisoners sentenced to transportation should be disposed of for the future. Some recommended the establishment of vast Penitentiaries sufficiently large to contain the probable number of criminals at home, and indeed it is to be regretted that measures were not then adopted for placing the whole system of secondary punishment upon a proper basis, and grappling, once for all, with the difficulty; while others advised that all transported felons should be dispatched to the western coast of Africa, and turned loose among the savage inhabitants—a proposition sufficiently inhuman to insure its immediate rejection. The discovery of Australia, "the land of convicts and kangaroos," about this period by Captain Cook, prevented the necessity of either of the above proposals being discussed, and afforded an opportunity of solving the difficulty, of which the Government of the day gladly availed themselves. The great distance from the mother-country, the paucity of its inhabitants, the fertility of its soil, and the improbality of a return when once the convict was landed on its shores, appeared to offer great and lasting advantages which Government was unwilling to disregard, and it was forthwith determined that in this distant region, a new colony should be founded, for the sole purpose of receiving transported felons. The future historian of Australia, in tracing the dark and gloomy details of its early years, will find abundant materials to excite the sympathy and interest of his readers, ample matter for reflection in investigating the effects of convict immigration on its social progress and development, and abundant cause of complaint in the conduct of the parent state, in consigning its colony to an infancy of wretchedness and profligacy, immorality and vice.

As soon as the above determination was arrived at, an act was passed in the 24th George III., empowering his Majesty to appoint to what place beyond the seas, either within or without his Majesty's dominions, offenders should be transported, and on the 6th December, 1786, two orders of Council were issued, which duly appointed the eastern coast of Australia, and the neighbouring islands, for that purpose. The subsequent act of 5 George IV., c. 84, commonly called the transportation act, conferred a like authority, and the two Australian Colonies of New South Wales and Van Dieman's Land, Norfolk Island and Bermuda, were finally selected. In

pursuance of the orders of Council of the 6th December, 1786, to which we have just referred, an expedition consisting of two frigates—the "Sirius" and "Supply," three store ships, and six transports, conveying 565 male, and 192 female convicts, with soldiers and officers, numbering in all about 1,000 souls, left England on the 13th May, 1787. Its destination was a small bay on the eastern shore of Australia, named by Sir Joseph Banks, Botany Bay, from the fertility of the soil and the variety of new plants which were there discovered by that distinguished naturalist who had accompanied Captain Cook in his voyage. At this place they arrived towards the conclusion of the same year. It was soon discovered, however, that the bay was badly supplied with fresh water, and in other respects unsuited to the purposes of a penal settlement. Captain Arthur Phillip, under whose guidance and control the expedition had been placed, determined to proceed further along the coast, in the hopes of finding a more convenient locality. The result of this step was the discovery of Sidney Cove, one of the finest and safest harbours in the world, and navigable by the largest vessels, at a distance of fourteen miles from the sea; here the convicts safely disembarked on the 26th January, 1788, a day memorable as that on which our Australian Colonies started into life, and upon which the nucleus of a great empire, whose destinies are wrapped in the obscurity of the future, was established,—an empire speaking the Anglo-Saxon tongue, and governed according to the spirit of Anglo-Saxon institutions.

The penal establishments of Norfolk Island and Moreton Bay, the latter having been continued only for a short period, were reserved for the worst description of convcts, generally speaking those convcted of capital offences at home or other crimes accompanied with violence, or for those who were from time to time re-transported from New South Wales, for offences committed in the colony. Norfolk Island was first made a penal station in the year 1826. It is one of the most beautiful spots in the world,—Major Wright has described the timber with which it abounds as "magnificent," and the Island itself as a "paradise"—but it soon became the scene of the foulest crimes, and of a ferocity which it is impossible to describe. The discipline to which the convicts were subjected was of the most severe and cruel nature, in fact, to use the words of one of the wretched

beings confined there, shortly before his execution for murder and mutiny, "a *man's* heart is taken from him and there is given to him the heart of a beast." Whoever has perused the evidence elicited before the Select Committee of the House of Commons on Transportation,* in the year 1838, cannot but have felt deep pain at the descriptions there given of the moral and religious degradation to which the unhappy prisoners had fallen, and still more surprise that a system of discipline which could have produced such results, was tolerated for a single hour. Murder, blasphemy, and unnatural offences were daily occurrences, and polluted an Island adorned by the choicest gifts of nature. They retained but one faint source of hope as the means of escape from the wretchedness they endured: it was a hope, however, that *even* failed to keep alive despair,—that hope was death. Sir Francis Forbes, one of the witnesses examined before the Committee, stated that "he should not hesitate to prefer death, under any form that it could be presented to him, rather than such a state of endurance as that of the convict at Norfolk Island." Dr. Ullathorne, a Roman Catholic priest, who visited the Island on the unhappy occasion, when thirteen convicts were executed for mutiny and murder, thus described the state of mind in which he found them on his arrival:—

"On my arrival at Norfolk Island, I immediately proceeded, although it was late at night, to the gaol; the commandant having intimated to me that only five days could be allowed for preparation, and he furnished me with a list of the thirteen who were to die, the rest having been reprieved; I proceeded therefore to the gaol, and upon entering the gaol I witnessed a scene such as I never witnessed in my life before. The men were originally confined in three cells; they were subsequently assembled together; they were not aware that any of them were reprieved. I found so little had they expected the assistance of a clergyman, that when they saw me they at once gave up a plot for escape which they had very ingeniously planned; and which might, I think, have succeeded, so far as their getting

* The Commitee was composed of the following gentlemen:—

Sir William Molesworth,
Lord John Russell,
Sir George Grey,
Mr. Leader,
Mr. Ward,
Mr. Hawes,
Mr. Ord,
Lord Viscount Howick,
Sir Thomas Freemantle,
Mr. Francis Baring,
Sir Robert Peel,
Mr. Charles Buller,
Lord Viscount Ebrington,
Sir Charles Lemon,
Mr. French.

into the bush. I said a few words to induce them to resignation; and I then stated the names of those who were to die; and it is a remarkable fact, that as I mentioned the names of those men who were to die, they one after the other, as their names were pronounced, dropped on their knees and thanked God that they were to be delivered from that horrible place, whilst the others remained standing mute; it was the most horrible scene I ever witnessed. Those who were condemned to death appeared to be rejoiced. It had been a very common thing with us to find prisoners on their way to the scaffold thanking God that they were not going to Norfolk Island."

Captain Maconochie on his arrival, in March, 1840, to undertake the command of the settlement, and whose arrangements with regard to the prisoners were attended with such favourable results, writes as follows:—

"I arrived on the sixth of March, 1840, and found the state of things certainly not better, and in some respects even rather worse, then I had expected. 1400 doubly convicted prisoners, the refuse of both penal colonies, (for the worst offenders were sent here from Van Dieman's Land as well as New South Wales), were rigorously coerced all day, and cooped up at night in barracks which could not decently accommodate half the number. In every way their feelings were habitually outraged and their self-respect destroyed. They were required to cap each private soldier whom they met, and even each empty sentry-box that they passed. If they met a superior officer they were to take off their caps altogether, and stand aside, bare-headed, in a ditch if necessary, and whatever the weather, till he passed, in most cases without taking the smallest notice of them. For the merest trifles they were flogged, ironed, or confined in gaol for successive days on bread and water. The offences most severely visited in them were at the same time chiefly conventional, those against morals being but little regarded, compared with those against an unreasonable discipline. Thus the most horrid vices, with acts of brutal violence, or of dexterity in theft and robbery, were detailed to me by the officers as being exhibited among them, with little direct censure, and rather as anecdotes calculated to astonish and amuse a new-comer,—while the possession of a pipe, a newspaper, a little tea, some article of clothing not furnished by the government, or the omission of some mark of respect, or a saucy look, or word, or even an imputation of sullenness, were deemed unpardonable crimes. They were also fed more like hogs than men. Neither knives, nor forks, nor hardly any other conveniences were allowed at their tables. They tore their food with their fingers and teeth, and drank for the most part out of water-buckets. Not more than about two-thirds of them could even enter their mess-shed at a time; and the rest, whatever the weather, were required to eat as they could in an open shed beside a large privy. The Island had been fifteen years a penal settlement when I landed, yet not a single place of worship was erected on it. It had been seven years a settle-

ment before even a clergyman was sent. There were no schools, no books; and the men's countenances reflected faithfully this description of treatment. A more demoniacal looking assemblage couldnot be imagined, and almost the most formidable sight I ever beheld was the sea of faces up-turned to me when I first addressed them."*

Van Dieman's Land was first occupied by settlers in the year 1803, and was subsequently applied to the purposes of a penal colony in the year 1817. Port Arthur, the penal station of the Island, was established in September 1830, after that of Macquarie's Harbour had been abandoned. It is situated in a remote part of the island, known by the name of Tasman's peninsula, a sterile district connected with the main land by a narrow isthmus, across which a line of fierce and savage dogs and a guard of soldiers were placed, to intercept all prisoners attempting to escape. The convicts were occupied in felling timber, working mines, and other laborious employments. Their general condition and the discipline to which they were subjected, was somewhat superior to that of the wretched malefactors transported to Norfolk Island. *They* were not deprived of every hope of ultimate liberty, though in the absence of all religious instruction and reformatory discipline, and irritated by harsh and cruel treatment, their characters were of course abandoned, and their vices innumerable. Of 116 who absconded from Macquarie's harbour from the 3rd January 1822, to the 16th May 1827, a period of about five years, "75 are supposed to have perished in the woods; one was hanged for murdering and eating his companion; two were shot by the military; eight are known to have been murdered, and six eaten by their companions; twenty-four escaped to the settled districts, thirteen of whom were hanged for bush-ranging, and two for murder, making a total of 101 out of 116 who came to an untimely fate."

Different systems have been from time to time adopted for the regulation and treatment of convicts, since the first application of transportation as a secondary punishment in the year 1787. The first, called the assignment system, continued in operation up to the year 1838, at which period it was somewhat modified by the instructions issued by Lord Glenelg; then followed Lord Stanley's probation system, and it again was superseded by Lord Grey's probation system. According to the course adopted in the

* See "Norfolk Island," by Captain Maconochie, R.N., K.H., late Superintendent.

assignment system, the male prisoners on their arrival in the colony were at once removed to the convict barracks, and subsequently assigned to such of the settlers as had need of servants, domestic or otherwise, without reference to the periods of their respective sentences: female convicts were more speedily provided with situations, and were usually taken direct from the ship to their place of service. The authorities did not recognise the payment of any wages, and merely required that the regulated amount of rations and clothing should be provided: settlers however generally found it for their own advantage to confer some indulgence either in money wages, or in the supply of tea, sugar, or tobacco, especially in the case of skilled labourers or domestic servants, to induce the willing performance of their duties. It is manifest from what we have stated, that the condition of the convict must have differed according to the temper and disposition of the masters to whom they were respectively assigned; that with a good master the convict was improved, with a bad one, corrupted; and though the colonial government reserved to itself the right to take back convict servants who might have suffered from the ill treatment of their masters, yet, as the expense of maintenance amounted to about £14 per annum for each prisoner when in the custody of the crown, it was a right but seldom exercised. Insolence and neglect of work were offences punished by the infliction of corporal chastisement on the complaint of the master, and so frequent were such complaints, that in Van Dieman's Land alone, the number of lashes judicially inflicted in the year 1834, amounted to 50,000 in a convict population of 15,000. The system worked with great inequality. It placed the convict within the almost absolute control of his master, and his condition "ranged between the two extremes of comfort and misery." Sir Richard Burke, formerly governor of New South Wales, bore testimony to this fact when he stated:—

"It is one of the most apparent and necessary results of the system of assignment to render the condition of convicts, so placed, extremely unequal, depending, as it must, on a variety of circumstances, over which the government cannot possibly exercise any control. It would be quite impracticable to lay down regulations, sufficient to remedy this inequality. The temper, character, station in society of the master, the occupation in which it might be found convenient to employ their servant, and the degree of connection or variance, that might happen to subsist between this and his pre-

vious habits, have an immeasurable influence over his condition, both physical and mental, which no regulations whatever can anticipate or control."

Convicts who remained unassigned were detained in barracks until employers were found as occasion offered, supported at the expense of Government, and employed in the construction of roads or other public works. They were divided into six classes arranged according to their respective characters and conduct. The first or best class were allowed to sleep out of barracks, and to work for their own benefit during one day in each week; the sixth or worst class were forwarded to the penal settlement, and subjected to the severest discipline. The arrangement of classes partook of the probationary character; each prisoner progressing from the lowest to the highest according to the degree of reformation he exhibited, after which be became entitled to a ticket of leave, then a conditional pardon, and finally, if by continued good conduct such was deserved, to a full and free pardon after a number of years proportionate to the period of his original sentence had elapsed: until the latter had been conferred, he was liable to forfeit through misconduct whatever position had been theretofore obtained. We have already noticed one serious objection to this system, viz., the unequal manner in which it affected the condition of prisoners differing widely in moral guilt; anothor objection, equally serious, was the impossibility of preventing the occurrence of abuses, in the details of the system, notwithstanding the utmost efforts of the authorities, which tended to destroy the entire effect of transportation as a deterrent punishment in the minds of criminals in the parent state. The assignment system afforded the wives and other relatives of convicted felons, who followed to the colony, the means of obtaining virtual freedom for their husbands and friends, by hiring them into nominal servitude. The effect produced by occurrences of this description, which seldom failed to be communicated to the criminally disposed at home, soon shewed itself in the loss of that fear, which transportation was calculated to inspire, and justified criminals in the mother-country,—ignorant of the wretchedness and misery generally endured,—in regarding it as a punishment to be coveted rather than abhorred. It appeared to them to be, simply, the means whereby a free passage to a prosperous colony could be obtained, and many were tempted to the commission of tran-

sportable offences, by what subsequently proved itself to be "a mockery, a delusion, and a snare."

These circumstances, and the rapid advances made by the colony in material prosperity, together with the increasing facilities for communication which daily presented themselves, rendered some modification in the assignment system advisable, if not absolutely necessary. Instructions were accordingly issued by Lord Glenelg, introducing certain alterations into the system, calculated to obviate the above objections; among others, the practice of assigning convicts as domestic servants was prohibited, and no assignment whatsoever was permitted until a certain period of forced labor in gangs had been first passed through. In the year 1842, Lord Stanley, then Secretary of State for the Colonies, introduced further alterations materially modifying the course of treatment to which convicts were previously subjected, and which we have just described. Five distinct probationary periods were instituted, through each of which except the first—detention in Norfolk Island, prisoners were obliged to pass. They were as follow:—First, as we have just stated, detention in Norfolk Island for the most hardened and incorrigible; secondly, probation gang; thirdly, probation pass; fourthly, ticket of leave. and fifthly, pardon. The probation pass-holders were again sub-divided into three classes, which differed according to the regulations respecting wages, to which each were subject. The pass-holders were allowed to hire themselves into private service, the first class being permitted to retain all their wages; the second, a portion only; the third being obliged to pay the entire amount to the Colonial Government.

Provision for the religious improvement and secular instruction of prisoners while working in the probation gangs, was made by the appointment of clergymen and schoolmasters. Upon convicts in this class, and in this alone, reformatory discipline was brought to bear; for here it was they first commenced their probationary career, and according to their conduct in which, it was possible for them to attain to ultimate freedom, after a period of about one-half the term of their original sentence,—a sentence for life being estimated at about twenty-four years. This system failed, and such a result might have been fairly anticipated. The reformatory process was applied too late; the disease had taken too great a hold of the victim, to be cured by ordinary remedies, at the period they were

applied. The convict was taken from the county gaol or hulk shortly after the passing of his sentence, and dispatched to the penal colony; he associated on board ship, during a lengthened voyage, with depraved companions, and thus being effectually corrupted, was drafted on his arrival into the labor-gang, exposed to innumerable temptations from the loose system of discipline which of necessity prevailed, and forced to a companionship with the vicious and impure: reformation in a labor-gang was therefore out of the question, and we only feel surprise that such could have been expected. Thus we read in a letter from one of the convicts, given at greater length by Mr. Kingsmill, in his chapters on Prisons and Prisoners:—

"The time soon came for us to be marched off. Myself, and five more shipmates, with twenty old hands, were yoked to carts, loaded with picks and other heavy goods. An overseer took the command, and, at the well-known sound 'go on!' off we started, not knowing whither: all we knew was that we were going to form a new station fifty miles up the country. * * * We arrived at ——, and were put within the prison: and a sad night I spent, as to outward circumstances. My friend and shipmate, who was with me on board the hulk, desirous of doing good, proposed to read a chapter from God's Word: but oh! I shall never forget the dreadful cry they set up. 'You old hypocrite! there's no God in Van Dieman's Land, nor ever shall be'! were the blasphemous words vociferated. Not till then did I find banishment such a heavy chastisement. To be obliged to hear and see what has passed before me, the last two years, is a severe and heart-rending affliction. * * * At ——, we commenced our work. Then began the course of government and discipline to which I have been subjected. Gangs marched to the station as it enlarged, from ——, and ——, and other Second Sentence stations. These men were supposed to have been reformed: but, alas! their conduct soon evinced that the treatment they had received was calculated to harden, rather than soften, their moral feeling. They soon broke out. Officers commenced their work, bringing many of them to trial for various offences. The 'triangle' was erected; the horrid 'cat' I saw, with grief and pain, flourished about the station by a fellow-prisoner, appointed flagellator. It was soon laid upon the backs of the unhappy convicts. Then my sorrows began. I was disappointed that a milder system was not in operation. From what I conceived *probation* to be, I expected that men would have been *instructed* and *drawn*, not *driven—encouraged*, not at once *coerced*."

The cause of failure in Lord Stanley's system, was therefore plainly and indisputably this:—the religious instruction and reformatory discipline to which he intended prisoners should be

subjected, was applied in the labor-gang *abroad,* whereas it ought to have commenced at *home.*

At about the same period, the experiment was tried, of removing to New South Wales, with a conditional pardon, prisoners sentenced to transportation, after they had undergone a certain period of imprisonment. They were sent out as free settlers, and were subject to the sole restriction of not returning to their native country during the remainder of the term of their original sentences. The experiment was not acted on to any great extent, but as far as it was applied the results were highly satisfactory. Lord Grey's probation system, which was a modification of Lord Stanley's, and was intended to obviate the evils alluded to, appears to have been based on the results of the above experiment. It provided that the two earlier stages in the probationary scale, if we may use the term, should be passed at home, under the immediate control of the executive; that separate confinement should form the first stage in the course of convict discipline, and associated labor on Public Works in England, the second; after which, removal to the colonies with a ticket of leave, and the prospect of ultimate pardon, awaited the convict who had conducted himself well during the continuance of his probationary discipline. Measures were also adopted whereby the relatives and families of convicts were enabled by Government aid to emigrate to the colony, on one-half of the expenses being contributed by the convict himself out of his earnings, and deposited with the colonial Government; an arrangement which was found to be gladly taken advantage of, and to be attended with admirable results. To carry out the above system, which was certainly an important step in the path of reform, and reflected the highest credit on its authors, the prisons of Millbank, Pentonville, Perth, and Parkhurst, were devoted to the purposes of separate confinement, and several cells in County and Borough prisons were rented by the Government for the like purpose. By this means the necessary accommodation for prisoners undergoing the first stage of punishment, according to the new scheme, was provided, and amounted in the year 1852, to 2659 cells in England and Scotland. New establishments were formed for prisoners undergoing the second stage of discipline—that of labor on public works. Portland prison at present affords accommodation for 1070 prisoners, engaged in the construction of a

harbour of refuge; Portsmouth supplies cells for 1020; Dartmoor, 650 for able-bodied prisoners, and 626 for invalids; Parkhurst accommodates 625 juveniles; the Hulks at Woolich are adapted to contain 980, and the Stirling Castle Hulk, at Portsmouth, 400; in all, affording accommodation for 5371 prisoners, subjected to the discipline of associated labor on public works. In addition to the above, a prison at Brixton has lately been established for the reception of female convicts. In Ireland the accommodation for both classes—separate confinement and public works, was, in the same year, only sufficient for 4556 prisoners, and even this we are told, "does not represent the *suitable accommodation*, but merely the extent to which, under a pressure, provision for the reception of prisoners exists." The total accommodation therefore supplied by Convict Prisons in Great Britain and Ireland, under the most favourable circumstances, does not exceed what is sufficient for 12,586 convicts. The period during which each convict was compelled to undergo the discipline of separate confinement was formerly fixed at twelve months, but has since been reduced to nine. Mr. Francis Gray, who wrote an interesting work on Prison Discipline, at the time when the changes we are describing were about to be introduced, made the remarks we have extracted below, and now, after the lapse of some years, we feel gratified in being able to certify, that the results have justified the opinions then formed of the original design, results which are in a great measure owing to the zeal, energy, and ability, which Lieutenant-Colonel Jebb brought to the discharge of his onerous duties. Mr. Gray remarks:—

"It appears that the new system now proposed to be established there, provides for one year of Pentonville discipline, followed by a term of *social labour*. During this latter period, we are told that the prisoners are to receive moral and religious instruction, and to be entirely separated from each other by night. This is well. And if it is designed, also, to furnish them, during the intervals of labor, with the means and opportunity of such intellectual culture as they are capable of receiving; to guard carefully their intercourse by day; and to prevent their having free and uncontrolled conversation by night, it is a design worthy of the greatness, the wisdom, and the benevolence of England."

We have already, in our former paper, made our readers familar with the ordinary course of discipline adopted in the application of separate confinement; we will not therefore enter into the particular treatment of convicts when undergoing the

first stage of their probationary discipline; the rules, however, which regulated the bestowal of a ticket-of-leave followed by a conditional or absolute pardon in the colonies, a copy of which was suspended in the cell of each prisoner and fully pointed out the path of wretchedness or comparative freedom which awaited his acceptance, deserve insertion, and will afford our readers a full view of the course, up to a late period, adopted with respect to convicts sentenced to transportation.

"NOTICE TO PRISONERS UNDER SENTENCE OF TRANSPORTATION.

Separate Confinement.

Prisoners may be recommended for removal on special grounds at any time, but in ordinary cases they will be detained in separate confinement for twelve months.

The conduct and character of each prisoner will be carefully watched and noted. Deserving prisoners will receive a good conduct badge to be worn on the dress after they have been a certain time in the prison.

On removal from the prison to public works, prisoners will be placed in one of the three classes according to the report of their character, industry, and moral improvement, while in separate confinement.

Prisoners who are deemed to be incorrigible will be specially dealt with.

First class prisoners removed to public works will, by continued good conduct, become eligible to be recommended for embarkation at the periods noted in the following scales.

Second class prisoners will be liable to three months, and third class prisoners to six months additional detention beyond the period fixed for the detention of first class prisoners.

PUBLIC WORKS.

Ordinary periods of detention on public works in this country proportioned to the terms of different sentences for convicts who have previously passed twelve months in separate confinement.

Scale No. 1.

A prisoner sentenced to	7	years,	for a period not less than	2 years.
Ditto	10	„	„	3½ „
Ditto	15	„	„	6 „
Ditto	20	„	„	8½ „
Ditto	Life*	„	„	10½ „

If a prisoner has been more or less than one year in separate confinement, the difference will be deducted or added to these periods.

These periods, together with the previous term passed in separate confinement, and the time occupied in the voyage, are calculated to make up about half the period of sentence.

* In the above scales a sentence for life is reckoned at 24 years.

It is however, to be clearly understood, that it is only in cases of prisoners conducting themselves in a satisfactory manner, that any such remission of their sentence can be recommended, and that they can only be embarked as opportunities offer, and as may be convenient to the public service.

As a further encouragement, however, such prisoners as conduct themselves in an exemplary manner, and who show, by their general demeanour and willing industry, that they have profited by the instruction they have received, and are likely to become useful members of society when released from penal discipline, will be eligible to be specially recommended to the Secretary of State at the expiration of a period short of that on the foregoing scale, but not less than according to the following scale No. 2.

Minimum period of detention on public works, applicable to prisoners whose conduct is exemplary.

Scale No. 2.

A prisoner sentenced to	7	years, for a period not less than	1	year.
Ditto	10	,, ,,	1¾	,,
Ditto	15	,, ,,	3	,,
Ditto	20	,, ,,	4	,,
Ditto	Life	,,	5	,,

If a prisoner has been more or less than one year in separate confinement, the difference will be deducted or added to these periods as before explained.

In order that every prisoner may be aware of his situation, and the effect which his conduct may have in diminishing or extending his period of probationary discipline, records of his conduct, character, and industry will be kept by the governor, chaplain, and other officers, which will be examined monthly (or oftener if required) and the results communicated to the prisoner. If a prisoner's conduct has been in all respects exemplary during the month, he will receive a badge to be worn on his arm, which, if not forfeited by subsequent misconduct, will afterwards enable the director to recommend him for a remission of one month of the period of detention set forth in Scale No. 1.

Thus a prisoner under sentence for seven years, who had passed twelve months in separate confinement, would, by exemplary conduct for twelve months on public works, place himself in a position to be specially recommended for twelve months' remission of the period laid down in Scale No. 1, and might thus become eligible for embarkation in the minimum period of twelve months, as laid down in Scale No 2.

Or a prisoner under sentence for ten years, having passed a like period in separate confinement, conducting himself in an exemplary manner, would place himself in a position to be recommended for embarkation in the minimum period of one year and three-quarters, as laid down in Scale No. 2, instead of being detained three years and-a-half as prescribed for ordinary cases in Scale No. 1. Prisoners entitled to a less number of badges would be eligible for recommendation at some intermediate period.

Penalties

Prisoners persevering in misconduct, or who are idle and negligent, and have been in consequence passed over, when they might by a different course have entitled themselves to be recommended for embarkation, will be liable to serve a further and longer period of probation on public works in a penal or other colony, or they will be liable to be sent back to separate confinement, forfeiting the time already served, and again commencing their periods of probation.

Prisoners who shall commit any act of outrage, or insubordination, or who shall attempt to escape, or persist in general misconduct, will thereby forfeit all claim to any indulgence or remission of their sentences, and will render themselves liable to be transported to a penal colony, where they will be placed under discipline in its severest form.

Tickets-of-leave.

1. Rules and regulations for the maintenance of good order among ticket-of-leave holders are framed and promulgated in the colony. The following are at present some of their principal conditions, but it must be distinctly understood that they are liable to be varied as may be judged to be necessary and proper by the authorities on the spot:—

2. A convict embarked from this country as a ticket-of-leave holder, will not pass out of the custody of the Government in the colony, until he shall be engaged, for at least a year, for service with some private employer, who shall be responsible for making a certain payment, as hereafter explained in paragraph 5. If suitable service cannot be obtained, the convicts will be employed by Government at wages, out of which they will receive clothing and rations. A small proportion will be paid to them in money, and the remainder credited towards the liquidation of the amount required to be paid to the Government.

Until this amount is paid, a convict will only be entitled to a probationary ticket-of-leave, but the full privileges of a ticket-of-leave will be granted as soon as he shall have paid the sum required, provided his conduct has been in all respects satisfactory.

3. The ticket-of-leave holder is required to remain in a particular district, within which he may hire himself out for wages; this is usually a country district, and he must not quit it without obtaining a pass from a magistrate; he must register his place of residence and any change of it; he must be at his own dwelling from ten o'clock at night until day-break; and he must report himself at certain periods in the year at the police-office of his district. For some classes of offences he is liable to summary jurisdiction, and his ticket-of-leave may be recalled for misconduct, in which case he will be subjected to penal labor.

Conditional pardons, payments, &c.

4. Prisoners holding tickets-of-leave in a colony may, by continued good conduct, become eligible for a conditional pardon, after the lapse of certain periods from the time of landing in the colony, proportioned to the respective terms of transportation. Such pardon

will restore them to liberty on condition of their not returning to this country, during the term of their original sentence, unless some special condition is attached to the pardon. These periods will be proportioned to the respective sentences, according to the following scale :—

7	years, men	...	...	...	1½	year.
10	,,	...	...	...	2	,,
15	,,	...	...	...	3	,,
20	,,	...	...	...	4	,,
Life	,,	...	...	...	5	,,

5 Prisoners, however, will be required to pay a certain sum to the Government in the colony, before such conditional pardon is granted. This sum will have to be reckoned as follows :—

A certain rate of annual payment to be made by prisoners will be named in the colony, which will not be less than £3, nor more than £5 a year, and the whole sum to be paid by each prisoner may then be calculated from the above scale, viz :—

7	years, men	...	...	1½	years, payment.
10	,,	...	..	2	,,
15	,,	...	...	3	,,
20	,,	...	...	4	,,
Life	,,	...	...	5	,,

6 The privilege of holding a probationary ticket of leave, or other remission from penal labour, may be forfeited by misconduct on the voyage. "

The annual expense of convict establishments amounts to between three and four hundred thousand pounds.

The results of this improved system of Convict Discipline have been highly satisfactory; in England, especially, where the deficiency in accommodation does not exist to so great an extent as in Ireland, they have been particularly marked. The Report now before us bears testimony to the progress made in almost every branch of discipline, and reflects the highest credit on the gentlemen whose exertions have contributed to so happy a result. * We notice however, that the conduct of the prisoners, in several instances, has not been as satisfactory as it could be wished, or indeed as it has been in former years. This remark applies particularly to the female prisoners confined at Millbank and the Juveniles at Parkhurst; the fact itself, however, has been attributed, and we believe justly, to the unsettled state of the transportation question, which continuing undetermined during that period of the year in which prisoners were usually dispatched to the colonies with tickets of

* See Reports of the Directors of Convict Prisons, for the year 1853.

leave, interrupted the general practice. Disappointment and consequent irritation produced results, which, in the case of the females at Millbank, developed themselves in serious acts of violence. The offences committed at Parkhurst were of a less important nature and were subdued by the ordinary discipline of the prison.

The Hulk system has long continued to be a foul stain upon the administration of convict discipline in England. At a period when the security of the prisoner was the sole object sought after, hulks may have sufficiently answered the end proposed: they have long since however been unanimously condemned, and we trust to hear of their total abolition. Improvements have no doubt been introduced in the course of management, and the crowding of prisoners has in some measure ceased, but the Directors have year after year urged upon Government their total inefficiency, and asserted, that notwithstanding the utmost efforts on the part of the officials to preserve discipline and regularity, as well by the infliction of punishment as by encouraging hopes of reward, "there is an under current of depravity beyond the reach of human power to control." Association cannot be prevented, and the supervision of the officers must necessarily be inadequate to prevent contamination. Hulks therefore are in fact moral pest-houses, when the prisoners confined are too numerous; while if the number be reduced, for the sake of avoiding the evils of a crowded prison, they became most expensive in the cost of management, as well as ill-adapted for the purpose of carrying out an extensive system of public works. The following tables, which we have compiled from the last Report of the Directors of Convict Prisons, will best exhibit the present condition of the English Establishments.

TABLE I.

Shewing the Expense of Management and amount of Earnings in each of the Convict Prisons in the year 1853.

Prisons.	Expense.	Earnings.
	£ s. d.	£ s. d.
Pentonville	15,407 9 9	2,702 2 8
Millbank	33,848 7 7	6,641 5 2
Parkhurst	15,782 12 1	1,880 3 10
Portland	31,706 16 6	28,211 6 6
Dartmoor	33,028 9 0	919 5 1
Portsmouth	26,258 6 8	31,058 5 4
Hulks	36,766 1 0	17,650 16 10
Total	£192,861 2 7	£89,063 5 5

TABLE II.

Shewing the Convict Population of the year 1853, *and number of Prisoners in Custody on the* 31*st December*, 1853.

Prisons.	Convict Population during the year, 1853.	Prisoners in Custo 31st December, 1853.
Pentonville	961	481
Millbank	2,513	1,148
Parkhurst	644	616
Portland	1,620	1,512
Dartmoor	1,611	1,128
Portsmouth	1,245	924
Hulks	1,896	1,291
Brixton	75	75
Total	10,587	6,975

TABLE III.

Shewing the disposition of Convicts in the year 1853.

Disposition.	Penton-ville.	Mill-bank.	Park-hurst.	Port-land.	Dart-moor.	Ports-mouth.	Hulks.	Total.
Deaths	4	30	4	8	39	13	57	155
Pardons	4	20	4	43	97	26	99	293
Transported	.	.	.	170	213	133	184	700
License	1	.	.	47	71	51	106	276
Lunatics	2	27	.	3	.	2	2	36

In Ireland the general management of Government prisons is in by no means so encouraging a condition. In the course of last year, a Commission was issued for the purpose of inquiring into the subject of convict establishments in Ireland. In the Report agreed to by the Commissioners, and towards its conclusion, we find the following statement:—

"The condition of the Government prisons situated in the city of Dublin—namely, those of Smithfield, Newgate, and Grangegorman—is such, from the construction of the buildings, from the circumstances of their respective localities, and the total inadequacy of the accommodation to the number of prisoners confined in them, as not only to preclude the possibility of carrying out, systematically, moral, religious, and industrial training, and the remunerative application of labor, but even to set aside the elementary principles of sound discipline, inasmuch as the *indiscriminate association*, which is now inevitable, leads to *the further corruption of the less guilty*, and cuts off all opportunities of reformation."

The above description is far from being satisfactory, and if we except Mountjoy prison, which is the only convict establishment in Ireland on the separate system, we have but little reason to congratulate ourselves. In the prison at Spike Island, which occupies a position as regards Ireland, similar to that which

Portland does in England, we find that in the year 1852, out of a convict population of 3458, the number of deaths amounted to 190, being a mortality of 5½ per cent. on the population of the prison, and nearly 10 per cent. on the numbers admitted into hospital; while the number of deaths in all the convict establishments in England, embracing a population of 10,587, amounted in the year 1853 to but 155, or 45 less than in Spike Island alone. We find also that on the 31st December, 1852, the prison contained as many as 1882 prisoners, the average daily population of the year amounting to 2000, while the suitable accommodation did not extend to one half that number; and further, that of this average daily population, the number set apart for public and prison works barely exceeded 800; in other words, about 45 per cent. *only* of the entire number of prisoners confined. The officers, too, we are told, and we ask attention to the words of Mr. Hitchins, the Goverment Inspector, "reside on the mainland:" we suppose it is considered that they can *on this account* exercise a more careful supervision and control over the prisoners in their charge; but we must not omit to mention, that Mr. Hitchins, in *consideration* of the consequent expense of "rent and boat-hire," submits "their claim to a special allowance on account of these items of expenditure." This is really too bad. That officers of a prison should have a claim for special allowance, *because* they reside at a distance from the sphere of their duties, would, in any country but Ireland, be deemed rank absurdity. The most extraordinary part, however, of the report, is that in which Mr. Hitchins contends, that the officers have no legal "*power of punishment or restraint*," and that they should be only responsible for the "*general order and cleanliness of the prison*;" and he notices these matters as, "confessedly, at variance with the characteristics of English prisons." Now can it be possible, that the officers at Spike Island have no "legal power of punishment or restraint." The Irish convict must be a lucky fellow indeed, fed and clothed free of all expense, surrounded by the beautiful scenery of Cork harbour, unrestrained and free from punishment.

If, however, the above is not an accurate description of the position of an Irish convict, we cannot understand why the governing officers should be permitted to avoid the responsibility of everything beyond "general order and cleanliness," unless indeed they would rely on the fact of their residing at

a distance, on the main land. We fancy, however, we can discover the true cause of these murmurs,—

——"twice the brindled cat has mewed."

We have heard it stated, that the commission to which we have referred, originated with certain subordinates of the treasury; that the object of the bill which followed the commission, was, as stated by Sir John Young, to confer a power of punishing prisoners which had not been theretofore possessed; that the "whip" and the "cat," if we rightly recollect, formed prominent features in the proposed mode of punishment, and that the state of mismanagement, or whatever else it may be called, in the Government prisons of Ireland, was about to be "made an excuse for providing for certain favorites of the Treasury;"* we certainly are not of those who care to join in the hackneyed cry of justice to Ireland, but we do think that Government should come forward, not with commissions originating with Treasury subordinates, such as that we have alluded to, or with schemes for providing places for their favorites—we have lately had enough of them in all conscience—but with the necessary machinery for applying to this country the present admirable system now in operation in England, the results of which are described, not in the whinging tone which characterises Mr. Hitchins' Report, but in the following language of that able and useful officer, Lieutenant-Colonel Jebb:—

"Any candid and dispassionate inquiry into the condition and prospects of the convicts who have passed through periods of penal and reformatory discipline at Pentonville and Portland, will prove beyond doubt that, to say the least of it, the *majority* of those now serving are likely, on their release, to be respectable in their station in life, and useful to those who engage their services, thus realizing the anticipations of the Pentonville Commissioners, that 'a large proportion of our convicts *would be qualified on their discharge to occupy an honest position in their own or any other country.*'" †

The following tables shew the statistics of Irish Government Prisons, according to the last report—that for the year 1852.

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* See Morning Herald, 13th July, 1854.

† See Report on Convict Prisons, 1852, p. 16.

TABLE I.

Shewing the number of prisoners remaining in custody on 31st Dec. 1852, and the disposition of the convicts in each prison respectively.

Prisons.	No. in custody, 31st Dec. 1852.	Deaths.	Pardons.	Transported to Western Australia.
Spike Island -	1882			
Fort Camden	132	190	5	845
Fort Carlisle	71			
Mountjoy - -	493	5	1	34
Smithfield - -	812	9	—	28
Newgate - -	300	13	—	14
Phillipstown	31	-	—	—
Grangegorman	No return	2	—	375
Ennis - -	269	12	—	—
Maryborough -	73	1	—	—
	3563	232	6	1296

TABLE II.

Shewing the sentences to transportation, and the expense of convict establishments in Ireland, for the year 1852.

Life.	14 years.	7 years.	Other periods.	Total.
32	78	864	453	1427

Total cost of Establishments - - £43072 : 12 : 5.
Average cost per head - - - 10 : 1 : 8¾.

Whatever difference of opinion may have existed with respect to the abstract question of transportation—whether it was just towards the colonists, whether it conduced to our own interests as a nation, or contributed to the welfare of the convicts themselves,—it is probable that no important alterations would have taken place in the usual course of arrangement, but for two circumstances which rendered some modification absolutely necessary, viz., the discovery of the gold mines in Australia, and the manifest disinclination exhibited on the part of the colonists to permit the immigration of convicts to continue. Many men distinguished for their talents, and having abundant opportunity to form a sound conclusion on the subject, have expressed themselves decidedly in favor of the retention of transportation as a secondary punishment. Among others, we may mention the late Lord Denman, Mr. Baron Alderson, Lord Moncrieff, Mr. Blackburne, late Lord Chancellor of Ireland, and many others of high position and authority; on the other hand,

Mr. Frederick Hill, whose opinion is deserving of the highest possible respect, and who, from practical experience in the management of prisons, may naturally be expected to form a juster opinion than any of the learned judges just mentioned, considers that the sooner it is altogether abolished, the better;* in which opinion he is joined by many gentlemen of high station and undoubted ability. For ourselves, we believe transportation ought to be retained, but only as an exceptional punishment. For the great majority of criminals, separate confinement, and labor on public works at home, is, as it appears to us, the proper and fitting punishment; but there are certain others, for whom, from the magnitude or peculiarity of their offences, such as those connected with the tenure of land in Ireland and accompanied with violence, or on account of their hardened and incorrigible natures, the ordinary discipline of a prison is insufficient, and transportation is the only adequate punishment. When we say transportation, we do not, however, mean banishment to a colony, with a ticket-of-leave, and the prospect of a life of comparative comfort; but removal to some locality *out* of the country, where their services might be made use of in the construction of fortifications and useful public works; or to some uninhabited and sterile island, where, separated from all connection with their place of birth, they could be kept to employment of a laborious description,—such as the reclamation of waste lands, subject to discipline of a strict and severe character, supported on the coarsest food, and supplied with the mere necessaries of life. As a general system of punishment, we therefore disapprove of transportation, though, as a punishment adapted for individual cases, we conceive it to be invaluable, and would consequently regret its total abolition. Lieutenant-Colonel Jebb appears to adopt a similar view when he remarks, "it appears deserving of consideration, whether it would not be expedient to alter the terms of the sentence, abolishing *transportation*, and substituting long terms of imprisonment, to be carried out chiefly in this country, but *with power to enforce them* at Gibraltar, Bermuda, Western Australia, or other colonies, where suitable arrangements for the purpose may have been previously made." With respect however to the system of transportation, as it has up to the present time been

* See Crime: its Amount, Causes, and Remedies, p. 163-166.

conducted, it was justly objected, that while we pollute our colonies with the most degraded members of society, which, as Bacon hath it, "is a shameful and unblessed thing to take the scum of people, and wicked condemned men, to be the people with whom you plant;" we at the same time reward and encourage crime. It is manifest that, whatever force these objections had in former days, they became irresistible when the penal colony expressed its disinclination to receive convicts on the one hand, and the discovery of gold mines operated as a powerful attraction on the other. But in point of fact, transportation had long since ceased to act as a deterrent. There is abundant evidence to shew, that even at an early period of its history, it was regarded with complacency, if not with satisfaction, by convicted prisoners. We have ourselves heard wretched criminals in a public Court-House, entreating the judge to pass upon them a sentence of transportation; while even latterly, under the improved system of convict treatment, transportation to the colony has been held out as a *reward* for good conduct during the earlier stages of reformatory discipline. It ceased therefore to be a punishment, and had become practically superseded by a term of imprisonment, varying in length according to the duration of what was in fact an unreal and fictitious sentence, followed by a term of exile in a prosperous, though distant, country. The Committee on transportation, in the year 1837, made the following remarks which have since become still more pertinent:—

"The pain of exile depends upon the nature and strength of the ties which connect an offender with his native country. Exile is, therefore, a very severe punishment to persons who have strong affections for their native land, for their kindred, and for their acquaintances. Generally speaking, it is most dreaded by those offenders against the laws of their country, who may be termed accidental criminals; that is to say, by persons who have not made a trade in crimes, but who have been induced to commit crimes by the impulse of the moment, or by some accidental combination of circumstances, or by some all-powerful temptation; and who may, in many cases, be possessed of good moral feelings. On the other hand, exile is least dreaded by the most numerous class of offenders, by those who may be termed habitual criminals, and who compose what is properly called the criminal population of this country, namely, regular thieves, pick-pockets, burglars, and all persons who gain their livelihood by the repetition of offences, and who consequently have lost all feelings of moral aversion to crime, and can only be restrained by fear."

We have just referred to the mode in which the objection above mentioned, of holding out an *indirect* inducement to crime, had been obviated by making it a *direct* inducement to reformation and good conduct before removal. The discovery of the gold mines, however, rendered the arrangement, which before was but a diminution of punishment, a positive attraction to the criminally disposed; in consequence of which, and the recent determination of the colonists to refuse any further supplies of convict labor, which however necessary at first, had been attended with great injury to the morals of their families, the question became reduced to narrow limits; it, in fact, resolved itself into a choice between the establishment of a new penal colony, or the adoption of a modified system of ticket-of-leave at home, retaining the power of removing those sentenced to transportation for lengthened periods, to localities where their labor was required, or their services might be of use, as, for example, to Western Australia, or Gibraltar.

The latter alternative was the one adopted. The establishment of a new penal colony presented difficulties, and was open to objections which it was impossible to overlook or disregard. If a settled and prosperous colony had been selected in order that the transported convicts might be absorbed in the general population, it was probable that the objection to receive them would have been justly and naturally urged—dissatisfaction and discontent excited. The opposition of the colonists at the Cape of Good Hope is fresh in the recollection of our readers,—and the objection having been yielded to by Government in the case of the Australian Colonies, could not with justice be disregarded elsewhere. The selection of a settled and prosperous colony was therefore out of the question. If on the other hand a colony had been established for the sole purpose of receiving convicts, the necessity would exist of providing means, at an enormous expense, for their return after the period of their sentences had expired; a course which has been necessarily adopted in the case of convicts detained at Gibraltar and Bermuda; while again, if they were induced to remain by conferring on them certain benefits, and free immigration was at the same time encouraged, at no distant period the difficulty, we have just referred to, would again arise, opposition to the further introduction of convict labor would be urged; it would ultimately be

yielded to, and the disposition of our convict population would again become a subject of doubt and difficulty. It was with a view of meeting the above difficulties, that the Select Committee of the House of Commons, which sat in the year 1850, agreed to the following resolutions, among others, with reference to District Prisons :—

"14. That after prisoners under long sentences have undergone a period of separate confinement, the remainder of their sentences ought to be passed under a system of combined labor, with effectual precautions against intercourse."

"15. That this object would be greatly facilitated by erection of district prisons, at the national cost, for the reception of prisoners under long sentences after they have undergone such previous separate confinement."

"16. That such district prisons should be maintained at the national cost, and the government of such prisons and all appointments and salaries of officers ought to be under the control of her Majesty's Government."

The question of District Prisons is one of great importance. We, however, think that the establishment of large depôts, such as that at Portland and Spike Island, if properly managed, would answer all the ends proposed by the formation of District Prisons, and would be attended with much less expense: the accommodation which would be required for such a purpose in England, has been estimated as that necessary for, from, 2,400 to 3,200 prisoners; in Ireland the number would probably vary from, 1,700 to 2,500. In, however, dealing with the subject for present purposes it did not appear advisable to abandon transportation altogether as a punishment. The necessities of the Western Australian settlements rendered it a matter of importance to them to obtain the assistance of convict labor. The advantage, in a material point of view, of such assistance to a colony, struggling with the difficulties by which it is surrounded in the early stages of its existence, cannot be questioned. The hindrances which chiefly retard the prosperity of early settlers, consist in the want of proper roads, bridges, wharfs, harbours, and public works of a like nature, for the construction of which the early colonist can find neither the time or ability. Settlers naturally seek an immediate return for their labor, and chiefly apply themselves to obtaining the necessaries of life. The advantages of convict labor, either employed in association, under Government control, in the construction of works of a useful and public character, or afforded to individuals through

the machinery of the ticket-of-leave system, is incalculable; and so well acquainted were the colonists themselves with the benefits to be thus derived, that those who joined most energetically in the agitation against the admission of convicts to Van Dieman's Land, were the very persons who displayed the greatest earnestness in their application for assistance when the supply of convict labor arrived. Sir William Denison, in a dispatch dated 15th November, 1848, refers to the benefits conferred by the labor of convicts upon the settlers in Van Dieman's Land, the annual value of which he calculates to amount to no less a sum than £216,000.

The Swan River settlement had for many years struggled with the difficulties to which we have alluded; the introduction of convict labor had been for years resolutely opposed, and every effort to introduce capital and free labor had signally failed; ultimately, however, the advantages to be derived from convict labor were acknowledged, and meetings were held for the purpose of petitioning Her Majesty's Government to form a penal establishment at Freemantle :—

"All these events," we quote from the Western Australian Magazine, "occurred at a fortunate moment, when the British Government were embarrassed by the refusal of the Cape and other colonies to receive their convicts; their effect was powerful, and Earl Grey speedily responded by sending out the first draft of convicts, which arrived in June of last year under Captain Henderson, an officer highly qualified and disposed to render them efficacious towards the general good of the colony."

The results have been most marked, and have exhibited themselves in the rapid progress of the respective sources of wealth,—commerce, shipping, and agriculture :—

"It cannot be questioned for a moment," writes Governor Ftizgerald in a dispatch dated 30th April, 1851, "that the important changes introduced by the measures of your Lordship in making this a penal settlement, in accordance with the expressed wish of the settlers at large, accompanied as it has been so judiciously, by a corresponding amount of free labor, then and now so much wanted, has contributed largely to these desirable results."

Western Australia thus affording an extensive sphere for the employment and absorption of convict labour, which proved to be of vast importance to the well-being of the colony, Government wisely determined to substitute imprisonment at home, with a system of letter of license, for sentences of transportation not exceeding fourteen years, retaining the former punishment for convicts sentenced to transportation for

that or any longer period. The Act of Parliament which introduced these important alterations came into operation on the 1st September, 1853, and after reciting, that whereas, by reason of the difficulty of transporting offenders beyond the seas, it has become expedient to substitute in certain cases other punishments in lieu of transportation, it enacts, that for the future no person shall be transported except for life, or for a term of fourteen years or upwards, and that any person who might have been sentenced to transportation for a term of less than fourteen years, shall be liable to be kept in penal servitude according to the terms following:—Instead of transportation for seven years, or for a term not exceeding seven years, penal servitude for the term of four years. Instead of any term of transportation exceeding seven, and not exceeding ten years, penal servitude for any term not less than four, and not exceeding six years. Instead of any term of transportation exceeding ten, and not exceeding fifteen years, penal servitude for any term not less than six, and not exceeding eight years. Instead of any term of transportation exceeding fifteen years, penal servitude for any term not less than six, and not exceeding ten years; and instead of transportation for life, penal servitude for life. The ninth, tenth, and eleventh sections relate to letters of license which Her Majesty by an order in writing, under the hand and seal of one of the principal Secretaries of State, is empowered to grant to any convict then under sentence of transportation, or thereafter to be sentenced to transportation or penal servitude, to be at large in the United Kingdom and the Channel Islands, or in such part thereof as shall be expressed in the licence, during such portion of the term of imprisonment or transportation, and upon such conditions as to Her Majesty shall seem fit, and provided that it shall be lawful for Her Majesty to revoke or alter such license. The powers vested in Her Majesty's Secretary of State are to be exercised by the Lord Lieutenant, in Ireland; and it is worthy of observation that the power to grant the letter of license is not confined to those sentenced to the substituted term of penal servitude, but extends also to those who are sentenced to transportation even for the term of life. The tenth section provides that so long as such license shall continue in force, and unrevoked, such convict shall not be liable to be imprisoned by reason of his sentence, but shall be permitted to go and remain at large according to the terms of

such license; and by the eleventh section it is provided that on the license being revoked, such convict shall be apprehended and re-committed, and shall thereupon be remitted to his original sentence, and undergo the residue thereof as if no such license had been granted. *

With respect to the accommodation necessary to meet the requirements of the statute, it is of course evident that large additions must be made to that which at present exists. We have already shewn that the actual accommodation now existing, taking the returns of the year 1852, for England, and those of 1851, for Ireland, does not exceed in amount what is sufficient for a total estimate of £12,586 prisoners, while the convict population amounts to the large number of 14,622, in addition to the females confined during the last mentioned year in Grangegorman Prison, and of the number of whom we have no return:—thus—

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* The form of the letter of license as granted is as follows:—

Order of License to a Convict made under the statute 16 & 17 *Vict., chap.* 99, *sec* 9.

WHITEHALL.

——— day of ——— 1854. HER MAJESTY is graciously pleased to grant to ———, who was convicted of ———, at the ———, for the ——— of ———, on the ——— day of ———, and was then and there sentenced to be ——— for the term of ——— years, her Royal License to be at large in the United Kingdom, from the day of his liberation under this order, during the remaining portion of his said term of ———, unless it shall please Her Majesty sooner to revoke or alter such License. And Her Majesty hereby orders that the said ——— be set at liberty within ——— days from the date of this order.

Given under my hand and seal,

Signed,

TRUE COPY. *Chairman.*

NOTICE.

1.—"The power of revoking or altering the License of a convict will most certainly be exercised in case of his misconduct.

2.—If, therefore, he wishes to retain the privilege which, by his good behaviour under penal discipline, he has obtained, he must prove by his subsequent conduct that he is really worthy of Her Majesty's clemency.

3.—To produce a forfeiture of the License, it is by no means necessary that the holder should be convicted of any new offence. If he associates with notoriously bad characters—leads an idle and dissolute life—or has no visible means of obtaining an honest livelihood, &c.,—it will be assumed that he is about to lapse into crime, and he will be at once apprehended, and re-committed to prison under his original sentence."

Then follows an exact description of the convict.

Great Britain: Disposed of during the year	1852,	2658	
Ireland: do.	1853,	1534	
Total disposed of			4192
Great Britain: Remaining in custody, 31st December,	1852,	6867	
Ireland: do.	1853,	3563	
			10430
Total remaining in custody ...			14622

We therefore infer, that notwithstanding the number transported and otherwise disposed of, the deficiency of accommodation for the above years may be represented at 2036, while if we deduct the number transported to Western Australia, Norfolk Island, Bermuda, and Gibraltar, the accommodation required exceeded that afforded, by 5677 ;—thus—

Transported from England,	1852,	2345
do. Ireland,	1853,	1296
		3641

The total accommodation therefore which would be required, in case the transportation of convicts was *altogether* abandoned, would, taking the statistics of the above mentioned years as our basis, amount to 18,263, or less than that existing, by 5,677: while if we consider how small a proportion the numbers sentenced to periods of transportation for or exceeding fourteen years, bears to those sentenced to periods of from seven to fourteen years, the above deficiency would not be very much reduced :— for instance, during the fifteen years preceding 1852, there were 21,208 persons sentenced to transportation ; of these, but 954 were for terms of life, and 711 for terms of fourteen years ; while about 66 per cent. of the entire number were sentenced for seven years, and about 25 per cent. for other periods. The following tables will shew the annual average in both England and Ireland.

TABLE I.

Average annual number and terms of transportation in England and Wales, for 8 *years, from* 1844 *to* 1851, *inclusive.*

Life.	Above 15 years.	15 and above 10.	10 and above 7.	7 years.	Total.
74	26	254	743	1231	2328

TABLE II.

Average annual number and term of transportation in Ireland for 15 *years, from* 1838 *to* 1852, *inclusive.*

Life.	14 years.	7 years.	Other periods.	Total.
64	47	946	357	1414

The above statistics show, that making every allowance for pardons, deaths, and those liberated on letters of license, a further accommodation for about 5000 prisoners is required in England and Ireland. We would earnestly impress upon Government the necessity which exists for at once providing for this deficiency, inasmuch as it is impossible to carry out the necessary arrangements for the reformation, or indeed we may say the proper discipline of prisoners, while they continue to be crowded together in large numbers; and more especially as the success which may, or may not, attend this important measure,—one from which much will be expected—will chiefly depend upon the mode in which the early stages of discipline are administered. We understand that Sir John Young has directed his attention to the fitness of Galway as a locality for the establishment of a convict depot; Slattery Island also in the Shannon appears to us to offer many advantages. *

With respect to the policy of the act itself, and the consequences which may be entailed upon the social condition of these kingdoms through its instrumentality, much difference of opinion exists. For ourselves, however, we do not hesitate to express our belief that Government was fully justified, under the circumstances of the case, in adopting the course which has been taken; and that the responsibility which undoubtedly attaches to those who introduce a change of so vital and important a character, has been prudently and wisely incurred. We cannot therefore forbear to express how sanguine are our expectations of success, or hesitate to pay to government the tribute of our praise; for as they have retained within their

* The building formerly devoted to the purposes of a Lunatic Asylum at Cork, has been lately converted into a Government Prison intended to accommodate 400 female convicts. We may also mention, that the Board of Directors of Government Prisons in Ireland has been lately completed by the appointment of Captain Crofton as Chairman. The other Members of the Board, are John Lentaigne, Esq., and Captain Knight.

own control the powers conferred by the Act of Parliament with respect to the granting of letters-of-license, and consequently are bound to exercise great caution and discrimination in the performance of duties which have been, so to speak, self-imposed—and much depends upon the mode in which these duties are discharged—whatever censure may be incurred, must properly attach itself to them; so, they are entitled to whatever praise success deserves. It must not, however, be supposed that government arrived at a mere rash or fortuitous conclusion: quite the contrary; it was the result of anxious deliberation and careful inquiry. An experiment it was no doubt, but it was one forced upon our acceptance by existing circumstances, supported by the favourable views of those best informed upon the subject, and justified by experience, as far at least, as such could be obtained: we in consequence feel bound to express our approval of an act of parliament which, for its boldness and enlightened views, we esteem to be worthy of the British Legislature. We are too apt to forget that criminals after sentence, retain the same feelings and the same dispositions which they possessed before their conviction. Numbers of them are in fact influenced by the self-same sentiments of right and wrong which regulate our own conduct. Their principles may be weak, they may not be apparent to us, but they never can be altogether extinguished; and if the views at length arrived at respecting the nature of that discipline which ought to be applied, and which alone can be expected to prove efficacious, are correct, are we not justified in testing the soundness of our opinions by restoring to liberty those who we judge to have profited by the reformatory process to which they have been subjected? In truth, if the convict having undergone a period of probation in separate confinement with all its reformatory influences, and subsequently, the discipline of associated labor on public works, cannot be trusted to himself, we must in fairness admit our notions of prison discipline to be inaccurate, and abandon, as illusory, the treatment upon which we have so much relied. We do not of course contend that *every* prisoner, who, by his good conduct during probation, obtains the indulgence of a letter of license, must necessarily become a useful member of society,—to expect such a result would be manifestly absurd; human institutions, however admirable, cannot attain to perfection—but we do assert, that if we have confidence in the efficacy of the

treatment which we have advocated, and which is now, more or less generally approved of, we are also entitled to expect favourable results from the judicious exercise of the power conferred by the act of parliament, especially in the case of those convicts who may be termed accidental criminals,—men, who under the influence of great excitement, violent passion, or strong temptation, have rendered themselves subject to the penalties of the law, but who, when the exciting cause has passed away, abhor their past transgression with a perfect hatred. The restoration of this class of prisoners to their friends, their families, and their homes, cannot in our opinion, be attended with any injury to society at large, while it is impossible to estimate the benefits which may follow from the adoption of such a course, when you thereby, restore to, perhaps, a destitute and unprotected family the exertions and watchfulness of a parent. Among the poorer classes, poverty, distress, and crime, the workhouse or the gaol, too generally attest the absence of a father's care. The unhappy prisoner himself, guilty, it may be, of but one offence, and that too perchance committed under the influence of powerful temptation, expiates his crime not only by the imprisonment he himself endures, but, by the bitter reflection that *his* misconduct may prove the cause of physical and moral ruin to his wife and children. Give to the man in whose heart you have awakened thoughts such as these, an opportunity to recover his lost position in society; and condemn not to a punishment still more fearful than that which is suffered by the criminal himself, the unhappy and innocent victims of his passion or temptation. That there are convicts detained in our penal establishments, on whom conditional pardons might be beneficially conferred, is sufficiently proved by the following extracts, to which we would beg the attention of our readers. The first, is a portion of a resolution agreed to by the Committee of the House of Commons which sat in the year 1850; the second, is taken from the Sixth Report of the Commissioners of Pentonville Prison; and the last, is from the Third Report of Lieutenant-Colonel Jebb, to whose writings we have so often referred.

First:—"That the Committee concurs with some of the most experienced witnesses that have been examined, in the opinion that a great majority of convicted prisoners are open to the same good motives and good impulses which influence other human beings."

Second:—"That if this system," the Pentonville, "were generally introduced, a large proportion of our convicts would be

qualified, on their discharge, to occupy an honest position in their own or any other country; and if so, we believe that under ordinary circumstances, there would seldom be wanting motives of self-interest and benevolence to afford them that employment which would enable them to become useful and exemplary members of society."

Third:—"Looking to my own experience, and to the opinion of others who have had better opportunity of judging, I do not hesitate to express my conviction, that it would be quite possible, without detriment to the public interests, materially to reduce the number of convicts to be annually sent abroad, by granting conditional pardons to the best conducted men, after periods of confinement proportioned to their respective sentences, on shewing that they had the means of earning their livelihood, or obtaining securities for their good conduct."

The above extracts, which might be multiplied if necessary, clearly prove that much good may be expected from the judicious exercise of the power conferred upon Government by the recent act of Parliament—a power which we hope will be in time extended to prisoners confined in county and borough gaols, when the benefits of a system of separate confinement, such as that pursued at Reading, Preston, and elsewhere, shall have been more generally introduced. With respect to the treatment of that class of prisoners which we have termed accidental criminals, *after conviction* and respecting whom we have shewn that beneficial results may be anticipated from the operation of the new statute, Mr. Clay, Chaplain to the Preston House of Correction, has pointed out in a forcible manner the necessity which exists of providing some machinery whereby the duration and amount of punishment imposed upon each convict, may be regulated, as well according to *justice*, as according to *law*. The measure we have been contemplating affords, in our opinion, the required remedy.

"Quite irrespective of the distinction now mentioned, there is another to which it is necessary shortly to advert; namely, that which obtains between the evil doer who *intended* to war upon society, and maintain himself by plundering it,—and the evil doer who has become such from sudden impulse, and in violation of his better instincts or principles. I venture to call attention to this latter distinction, chiefly for the purpose of suggesting, that it might consist with justice and the public interest, that a difference should be made in the treatment of the parties affected by it. A crime is *deliberately planned* and executed by a trained thief; another crime of the same magnitude is committed under the influence of sudden excitement by a man who, in calmer moments, would shrink from the idea of it. Should the same sentence be passed in both cases? or, if the requirements of the statute permit no discretion, might not the carrying out of the sentences be so modified, that the principles, both of justice and mercy, should be

vindicated? Illustrations of what is here supposed, are to be found in many of our 'government' cells:—for instance;—A. B. bore an excellent character up to the hour in which he committed his offence,—firing a hay-rick while in a state of intoxication,—and for which he voluntarily surrendered himself, to save innocent parties who had been apprehended. C. D.,—who has maintained himself for many years entirely by thieving, and who has been in many different prisons,—is convicted of a robbery from the person. E. F. is convicted of burglary,—three previous convictions for felony being recorded against him. G. H., after four imprisonments for different offences, is now convicted of sheep stealing. The same sentence of seven years' transportation was passed in each of these cases, and perhaps—owing to the nature of the indictments, or other causes,—unavoidably. But *after* sentence it would be both right and safe to distinguish between these offenders. The previous life of A. B.; the satisfactory evidence of great improvement during twelve months' imprisonment; and the assurance that he has the means of obtaining an honest livelihood,—would, I think, warrant the granting to him a free, or conditional pardon. Certainly such a man should not be regarded in the same light as the other three who are under the same sentence, but whose past conduct, and slow development of right feelings, demand a longer period of probation, and justify a larger measure of punishment. Even of the convicts who, unlike A. B., have gone wrong because they never knew the right, there are many who have shown themselves not only capable of understanding, but most unfeignedly desirous of following 'that which is good.' How much is suggested by an expression used to me by one of the grossly ignorant 'Frimley gang,'—when I was endeavouring to explain to him the necessity and value of Christian faith and conduct,—'I never heard any thing about this, before!' As regards this life, his knowledge comes too late. It will enable him to bear his punishment patiently, but nothing would justify a remsision of it. There are, however, less heinous offenders who, having gone wrong only because they were moving in the dark, have had grace to come to the light, and would, I am persuaded, walk according to that light, were they trusted to its guidance. * * * * * * I venture to say that of the 146 government convicts who have been, and now are, under our care, I would be answerable for the future good conduct of 39 of them, were it thought proper to trust them with their liberty in this country. Almost all of these 39 have wives and children, who are thought of with affection, and who would be additional security for good conduct. All of them have remunerative trades to take to, and none of them have been systematic offenders. My good opinion of the entire body of government convicts is not confined to the 39. Nearly as many more would, I believe, take to honest courses, if liberated after a due term of probation, and with a certain prospect of employment; but of the 39, I speak with more confidence, chiefly because they have more family and social ties to bind them to a better life."

"But even if a mitigation of sentence were more frequently granted in this country, under such circumstances as I have spoken of, the risk to the public would be of little moment, compared to the actual injury done to it by men who, after serving a stated period

in the hulks at Bermuda, are brought back to England,—50 or 150 at a time,—sooner or later to follow their former—or worse than their former—courses. Two of the government convicts now here, (one of them a member of the Uckfield gang) have 'served their time' at Bermuda; and six other men, belonging to our own district, who now are, or have been within a short time, in this prison, are returned convicts from the same place. More hopelessly demoralized men I have seldom met with."*

With respect to the last observation of Mr. Clay, we may mention, that during the five years from 1843 to 1847, inclusive, no less than 3450 prisoners were discharged from the Hulks in England and Bermuda, and restored to the criminal population of Great Britain, none of whom had received the advantage of reformatory discipline; for the treatment to which they were subjected, was calculated rather to add to their vices, than to encourage their return to virtue. We have stated that experience justified the adoption of a system of ticket-of-leave or letter of license. We referred to the satisfactory results which attended the introduction of a system of conditional pardons at Barbadoes, in pursuance of an act of parliament specially passed for the purpose,—the 13th Vic. chap. 21 (22 January 1850). The Governor, and Commander-in-chief for the time being, were authorised to discharge prisoners conditionally, who from good conduct might appear to be deserving of such an indulgence, after they had passed through a period of imprisonment proportionate to their respective sentences. The act extends to persons convicted of *any* offence and sentenced to be imprisoned with or without hard labor, after three-fourths of the sentence had been undergone. The principle of the act is good, and we would welcome with satisfaction one, based on similar principles, for these kingdoms, as a further improvement on the recent act of the 16 and 17 Vict. chap. 99, especially as regards the provisions which apply to prisoners convicted of *any* offence, and sentenced to imprisonment with or without hard labor. The following extract from a dispatch of Sir W. Colebrook, dated June 9th, 1851, to Earl Grey, refers to the satisfactory results which followed its introduction: he states;—

"Of the number of those discharged with tickets-of-leave under the act (13 Vic. chap. 21), and the reports made to me of their industry and good conduct, none have been re-committed for any

* See "Chaplain's Twenty-eighth Report of the Preston House of Correction," p. 50, Preston, 1852.

offence, and the grant of good-conduct badges to prisoners has tended further to encourage orderly behaviour in the gaol.

"The success during the last two years of the act for granting tickets-of-leave has proved that under a reformatory system of prison discipline, by which incentives to good conduct are held out to prisoners, it is practicable, with the assistance of the magistrates, aided by a rural constabulary, to guard against the renewal of bad habits, to which discharged prisoners are exposed in populous places; and adverting to the difficulties attending the deportation of convicts, arising from the reluctance of other communities to receive them as such, it is *important to have ascertained that they can be corrected and controlled at home, although in many cases their voluntary emigration may be afterwards encouraged with advantage to themselves and the public.*"

It was quite impossible that Government could disregard the several considerations to which we have referred. The necessity which existed of some new arrangement being adopted in the disposition of convicts; the favourable results exhibited where the experiment of granting conditional pardons had been tried, and the opinions entertained by those who had devoted their time and abilities to the subject, must prove an ample justification of any charge brought against Government of heedlessly incurring risk or danger to public interests in the course they selected.

So much for the past: with respect to the future, great difficulties will, of course, have to be encountered. "Within a few years," we are told by Lieutenant-Colonel Jebb, "there may probably be 9,000 to 10,000 convicts undergoing imprisonment in this country, and perhaps 2,000 annually discharged on the completion of their sentences." The success of the new scheme will depend not only on the care and discrimination with which Government discharges the important duties conferred by the statute, and the attention and devotedness which is exhibited in the course of reformatory discipline to which each convict will, in the first instance, be subjected, but will also depend upon the manner in which the public at large regulates its intercourse with liberated convicts. All must combine to give efficiency to the act of Parliament. We must not have detective officers dogging the footsteps of the liberated offender, irritating his feelings and marring his efforts to obtain a livelihood; employers also must learn to extend a certain amount of charity to those who offer their services for hire, and place some confidence in the discrimination and discretion exercised by Government. The convict enjoying a letter

of license must not be avoided as indelibly stained with guilt; he must be assisted—not crushed; encouraged—not repelled. Time will, no doubt, be required to create and cultivate such sentiments in the public mind, but every obstacle will yield to the persevering efforts of an enlightened public opinion.

Will then the experiment succeed? "Earnestly do I wish that experiment success," writes Mr. Hill the Recorder of Birmingham, but adds, "no one I am certain, who is acquainted with the criminal class, can contemplate its possible results without the deepest anxiety."* We too share in that anxiety; but, nevertheless, we do not hesitate to express the confidence we feel, that success is destined to attend this important measure, and reward the efforts of its sponsors. With the class of prisoners who we have styled "accidental offenders," we anticipate the happiest results from the judicious exercise of the provisions of the act of parliament. They will be received by their friends, their single offence will be expiated, forgiven, and forgotten, and they will gradually become absorbed in the masses of society: from the class of "habitual offenders," we must not expect great results or form the same sanguine expectations. The importance of reformatory discipline has been increased ten-fold. If a vast number of criminals are to issue from our convict prisons uninstructed and unreformed, if the opportunity once afforded be lost or disregarded, the consequences may indeed be appalling. Mr. Hill states, "that he cannot contemplate with a steady mind the evil results of a stream of unreformed criminals issuing from the gates of our prisons;" and in truth, the responsibility attaching itself to all engaged in the administration of prison and convict discipline, whatever may be the position occupied by each, cannot be overrated or too highly estimated.

The time which has, as yet, elapsed is too short to enable us to speak fully of the practical working of the statute; we may, however mention that the number of letter-of-license men who have relapsed into crime, is comparatively small when compared with the number of licenses which have been granted.

Mr. Field, whose character and abilities are so well known, in his Fifteenth Annual Report submitted to the Grand Jury at

* See Charge delivered by Matthew Davenport Hill, Recorder of Birmingham, to the Grand Jury of the Borough, 1853.

the Abdington Sessions last October, which he has kindly forwarded to us, makes the following observations which certainly merit deep consideration. Mr. Field points out the necessity of adhering to "the discipline and plans proposed for the correction of convicts," ere they are released from punishment, and left to struggle with the almost insurmountable difficulties which await them on their liberation. We will, however, let Mr. Field speak for himself, calling the attention of our readers to the fact, that in the two instances to which he refers, the treatment to which the convicts were subjected, immediately previous to their discharge, was in the one case, the contaminating discipline of a hulk, and in the other, the equally injurious system of associated labor in operation at Bermuda :—

"The substitution of a term of penal servitude in this country for the transportation of convicts, which before prevailed, has not unreasonably occasioned many fearful forebodings. The recent perpetration of some atrocious crimes by men who, having been transported, had returned, induced me in my last report to observe, that unless the discipline and plans proposed for the previous correction of convicts were adhered to, and some employment ensured for them when liberated, disastrous consequences would result from the change. The experience of every week proves that my apprehensions were not unfounded ; and although the number sentenced to be transported from this county, since you adopted a corrective prison discipline, has been very limited, yet the released convicts who re-appear in our calendars, afford proof of the danger to which I have adverted. I do not now particularly refer to those amongst them, who, under the old vicious system of penal treatment, were only preparing during the execution of their sentence, for the perpetration of more heinous crimes when it should be completed ; but there have been during the last twelve months two felons liberated, and again committed for felony, who were sentenced to be transported, one for seven, and the other for ten years, as recently as the year 1850. The former of those, after seven imprisonments for various crimes, was sent from your gaol described as the worst of characters. After spending nine months at Wakefield, and two years and eight months on board a hulk at Woolwich, he was liberated, and returned to his former wretched home and vicious associates, without any prospect of employment. On my first interview with him on his recommittal, he told me that he thought it excuse enough for his crime that 'nobody would employ him.' The second was a more painful case. The man had been previously four times convicted, and upon his being in 1850 again convicted of two distinct felonies, he was sentenced to be transported for ten years. Illness prevented the separate confinement of this criminal for longer than about three months Having recovered, he was sent to Bermuda, but his health again failing (according to his statement,

which is confirmed by circumstances,) he returned to this country, and when again recovered, received pardon. He then came back to his former haunts, when in about a month he committed another felony, for which he was sentenced to penal servitude, and I grieve to add, died of cholera a fortnight since in Millbank prison. It is with reluctance, but constrained by a sense of duty, that I refer to these melancholy instances of mistaken clemency. I have always deprecated *uncertainty* in the execution of our criminal laws, as both cruel towards offenders, and calamitous to the community. As respects the former, if hope be allowed that a penalty may be mitigated by professions of penitence, or propriety of conduct, hypocrisy is the certain consequence; a man then behaves well, but becomes no better; and when influenced by mere selfishness, he has restrained vicious propensities long enough to obtain his purpose, he is again allured to violate the law by the expectation that, if detected, he need but repeat his deceitful practices to procure the same result. On the contrary, if, instead of thus fostering crime, and however undesignedly, yet too surely, promoting the temporal and eternal ruin of the wretched victims of such miscalled mercy, it be determined and well-understood that a *certain*—I say not a severe—punishment, unchangeable through any conduct of the criminal, will be inflicted, the convict then submits with patience to that punishment; he attends to instruction, and his character improves; having no temptation to dissemble, he is sincere in his endeavours to amend, and in the peace of mind which accompanies this very process of improvement, he finds a recompence. Such a man, when liberated, has learned the wisdom of leading an honest life; higher and holier motives influence his conduct, and he has sought for, and secured that power which alone can prevent a relapse. You will kindly pardon this apparent digression, but a desire to be faithful, and a deep feeling of compassion towards those, for whose welfare, as God's minister, I am appointed to watch, compel me, humbly, but earnestly, to protest against that uncertainty in the execution of the law, which proves both preventive of correction and an incentive to crime."*

Whatever may be the result; it is, however, a consolation to reflect that one benefit must, at all events, accrue from the enactment we have been just considering: the benefit we refer to, is so ably put forward in the following extract from the *Times*, † that we need offer no apology to our readers for inserting it—

"Thus much, however, is certain, that by removing the punishment of our crime from distant and unknown countries, and placing it in the very centre of our social system, we shall bring home to the minds of the people of this country that which they have never had before—a thorough sense of the responsibility of the community for

* See "Reading Mercury, Oxford Gazette, Newbury Herald, and Berks County Paper," Saturday, October 21, 1854.

† See "Times," October 20th, 1853.

the crime it brings up, and for the necessity of dealing, not only with the disease itself when fully developed, but with what have been well called its premonitory symptoms. The more difficult, the more distressing, the more humiliating we find it to punish the full-grown criminal, the more sensible we are of the contamination which he carries with him, and the sacrifice at which any attempt at his reformation must be carried out, the more anxious shall we be to diminish the numbers of this formidable and unmanageable class, by counteracting the first incentives to vice, and breaking up those seminaries and nurseries where it is inculcated and instilled. *The effect of bringing secondary punishments nearer home will be, to make that attention to the subject earnest and incessant, which now is languid and intermitting.* It is the intention of Providence that every community should bear the weight of the crime that it produces, and, if we have hitherto contrived to evade that intention, we have paid the penalty of it in another shape, by the encouragement of a spirit of remissness which has made us the prey of successive generations of criminals, whom we have brought up to plunder us, that we in our turn may, at a vast expense and with much trouble, send them to perpetrate the same outrages on our remote dependencies. We are now to bear our own burden, and the result will be, if we mistake not, a very serious determination on the part of the community to make that burden as light as possible."

We have now brought our task to a conclusion:—

Longa est injuria, longæ
Ambages;——

We have endeavoured to communicate to our readers information on a very important social question, in an attractive form, and have therefore avoided unnecessary details. The subject is one of great extent, embracing interests of vast importance, and affording a sphere for unlimited benevolence and philanthropy. We are persuaded also, that it is upon public opinion we must chiefly rely for its speedy and satisfactory solution. Government can do much to hasten such a result, but it requires to be supported as well as urged, and the reflection that we shall have contributed, in ever so small a degree, to the furtherance of so desirable an object, will afford us no little satisfaction.

We will now take leave of the subject, expressing our hope—indeed we may say our confidence, that at no distant period, Prison Discipline and the management of our Convict Establishments will be placed upon a basis "worthy of the greatness, the wisdom and the benevolence of England"—a result, in our minds, as deserving of the admiration of posterity, as the most glorious victory or the noblest feat of arms.

Art. IV.—REMOVAL OF IRISH POOR.

Minutes of Evidence taken before Select Committee appointed to inquire into the Operation of the Act 8 *&* 9 *Vict. c.* 117, *relating to the Removal from England of Chargeable Poor Persons Born in Scotland, Ireland, the Isle of Man, Scilly, Jersey, or Guernsey; and also into the Operation of the Act* 8 *&* 9 *Vict. c.* 83, *relating to the Removal from Scotland of Chargeable Poor Persons Born in England, Ireland, or the Isle of Man.* 1854.

The Irish reader who has witnessed the arrival of an English or Scotch steamer at any of the seaports on the eastern shore of this island, and has had the curiosity to wait until the entire of her living freight had been poured out on the quay or wharf, must have beheld a spectacle painful to his feelings as a man, and galling to his pride as an Irishman. At all times, the arrival of a large steamer from an English or Scotch port at our quays, is certain to present a scene of much bustle, and no small excitement. Long ere her paddles cease to revolve, loving eyes are strained to catch the first glimpse of some dear object; and as the gangway links the vessel to the land, how eager is the rush of the wife to the arms of a husband, of the child to the embrace of a parent! At such a moment friend greets friend with unusual ardour, and even distant acquaintances lose much of their conventional reserve. Nor is the stranger who visits Ireland for the first time, whether from motives of profit or a love of the picturesque, without a welcome: vigilant representatives of rival hotels contend for his preference, and eagerly endeavour to appropriate his luggage and himself.

But there is one class whom no anxious eyes seek out, to whom no ready hand is extended, to whose arms no fond relative rushes, to whom all are alike indifferent. They modestly wait back till the other passengers have left the ship, when they slowly pass over the gangway, weather-beaten and dejected. In number, they may be twenty, fifty, or even one hundred. Their eyes are dull and bleared, their steps faltering, their whole appearance indicative of misery and despair. Perhaps the last night's storm found them on the open sea, crouching beneath a scanty bit of tarpawlin, or clustering under the windward bulwarks, exposed to the keen

blast, and drenched by the spray—happy if no mad wave leaped over the bows, and swept the deck in its fury. These are Irish-born poor, whom prosperous countries and rich communities have cast out from their bosom; these are the victims of a law not in accordance with that charity which the Redeemer preached on earth, and which finds an instinctive response in the heart of every human being unhardened by the world's selfishness. These are the "removed poor," who have been got rid of by English, Welsh, and Scotch parishes, more or less according to the forms and observances prescribed by certain statutes made and provided with that benevolent purpose.

Theirs is indeed unmitigated misery. Hope, that lights up the darkest scene to others, and casts its bright gleam over the ocean track of the adventurous emigrant, has for them no existence. The emigrant meets danger with a bold heart, and endures privation with a cheerful spirit. He is on his way to join members of his family who have pioneered the rude path to modest independence, or to prepare the way, with his own hard toil, for them to follow; and in the sanguine expectation of a newer and better fortune, he hears the storm rage without apprehension, and bears with patience the manifold discomforts of a crowded ship, and all the trying incidents of an unaccustomed element. But, alas! not so with the drooping miserables who crowd the deck of a Scotch or English steamer, or stand in stupid wonderment as they are landed on our quays. To them the present is full of shame and bitterness, the future fraught with perplexity and despair.

Many of that disconsolate company are most probably ignorant of everything connected with the city to which they have been sent, save its name. They were told that they would be shipped to Belfast, to Dublin, or to Cork; but they feel, and not without much reason, that they might have been as fitly dispatched to the uttermost boundary of the earth. As they quit the plank, and stand upon their natal soil, they know not where to turn, or to whom to appeal. If death and emigration have left them a relative in the land, it may be at a distance of fifty miles, one hundred miles, or more, from the port to which they had been humanely consigned; and how are they to reach that distant place, destitute of means, of energy, perhaps of health?—for the zeal of English and Scotch officials is not always discriminating, and poor creatures

have ere now been huddled on the deck of a steamer, who were more suited to the ward of an hospital, as we may have to shew before we are done.

Others do recognize, though dimly, and through the veil of a remote memory, some prominent features of the city into which they are cast; but as they proceed to the humble quarter in which their childhood was passed, they find everything changed from what they had known it. In vain they inquire of such or such a name. The one has been dead for years; the other has gone to America at such a time; such a one has removed, and left no trace behind; another is sunk in the depths of poverty, and may be heard of at the workhouse, and, more discouraging still, another has risen in the world, and has no sympathy for the poor.

A compassionate spectator is appealed to by some bewildered mother, whose accent either bespeaks her English origin, or a residence in that generous land of such duration as one, unconscious of the justice of the laws affecting the Irish-born poor, might suppose should have constituted a citizenship not admitting of dispute. In the name of a mother's distress she implores to be directed to a magistrate who will assist, or at least advise her, or to some place where she may find shelter for the night; or it may happen that, to obtain that shelter for herself and her little children, who cling round her in infant helplessness, she is compelled to sacrifice at the nearest pawn-office some much-needed article of her too scanty clothing.

Nor are the objects of the law's merciful solicitude all of the feebler sex; disabled men, fathers and grandsires, diversify and render more saddening this spectacle of woe. The unemployed artizan and the broken-down labourer, who has given the skill of his brain and the strength of his manhood to another country, may be seen amongst the dejected crowd of "removed poor." Ask him his history—it is briefly told; and you may believe him too, although his oath would not weigh as a feather in the balance against the lightest word of the meanest official employed in his removal. He left Ireland in his boyhood, and from that day to the present he had looked upon England as his home. He married there—his wife, the feeble creature by his side, who tries to hush the moan of the poor child in her arms, can shew you her "marriage lines;" there he toiled for years in honest industry, supporting himself and his family by his labor; but an evil

hour came, and his strong frame grew stiff with rheumatism, and poverty fell upon his household, and hunger entered the door, robbing the wife of her beauty, and the children of their bloom. He was compelled, sorely against his pride, to apply to the parish for relief, and he did so with a bowed head and a sinking heart. He got the relief required, but he was told that he should go back to Ireland. He asked why should he go to Ireland, where he had not been since his youth? —was he not entitled to relief for himself and his family, so long as they required it? Oh no! he had removed across the street, from one parish to another, within the last five years; and removal to Ireland was the penalty imposed by the law upon the acceptance of one shilling's worth of relief. The law was a tender and merciful law; it would secure his removal to the port nearest his place of birth, if he so desired it; but it would afford him a passage to another port, if no family ties bound him to a particular spot. And there he stood, without a friend but God; no hope for himself, his wife, his little ones, but an Irish Workhouse.

We do not ask you, reader, to follow the fortunes of the afflicted beings to whom we have thus introduced you,—to listen to their sad stories, as told, in some crowded court, to a bench and audience thrilling with indignation, by the sobbing mother, or extorted from the shamed and sullen father,—to accompany the constable or the relieving officer who conducts them to the nearest workhouse, and behold them absorbed in the mass of misery that dwells within its walls,—to watch the steps of others, who hide themselves in the readiest asylums of poverty, where disease is engendered, perhaps where sin and guilt are sheltered,—or track the weary way of those who turn their faces to their native village, and toil on, sad and foot-sore, in the faint hope of finding some surviving relative who may assist them, or, if that hope, fondly clung to, prove an idle one, in the certainty of adding their individual wretchedness to the pauperism of that union upon whose relief they have the strongest natural claim. But we assure you, in all sincerity and truthfulness, that the picture which we have feebly sketched, you may behold every week in the year on the arrival of almost every Scotch and English steamer that enters any one of the principal ports along the eastern shore of this island.

To make you in some degree conversant with the law by whose sanction this iniquity is permitted, and the mode in

which its provisions are enforced, and place before you some reasons why, in our judgment, this law ought not be longer endured, cannot be successfully amended, and should be repealed, is the object which we propose to ourselves in these pages.

We shall first briefly trace its history.

The first English statute relating to the removal of Irish poor was the 13th of Anne, c. 26, which consolidated and amended former vagrant laws, and made provision for the removal of persons guilty of acts of vagrancy to the parishes of their settlement, and also for their punishment. By the 24th clause masters of ships are subjected to heavy penalties if they bring into the realm, from *Ireland*, the Isle of Man, the Isles of Jersey, Guernsey, or Scilly, or any of the foreign plantations, any rogue, vagabond, or any person or persons *likely to live by begging*, being a native of any of the said islands or plantations. And in order to compel such master to discriminate accurately as to the condition and character of his passengers from such islands or plantations, it provides that if the person or persons so brought over shall be apprehended wandering, begging, or otherwise "misordering" himself or herself as aforesaid, then the master shall be further liable to a penalty, and be bound to pay the expense incurred in sending such "misordering" individuals back to their own country. By the 26th clause, masters of vessels are compelled to remove the rogues, vagabonds, and vagrants put on board, for the purpose of removal, to such place as the ship "shall be bound," upon being paid such remuneration as the justices shall settle.

The substance of this Act was re-enacted by the 17th George the Second, c. 5, which was the Vagrant Act in force down to the reign of George the Fourth. It omitted the penalty on masters of vessels above mentioned, it having been found impolitic to continue it. This Act was repealed by the 3rd Geo. 4; but the 5th Geo. 4. is the Vagrant Act now in force in England.

Up to the 59th Geo. 3. c. 12, persons to be punished and removed should have committed an act of vagrancy—they should be proved to be rogues, vagabonds, or vagrants; but by that Act power was for the first time given to remove persons who became chargeable *as poor*. Foreign poverty thus became an offence against English parish propriety, and

was punished by prompt banishment. Previous to the passing of this humane law, if a poor person made an application for relief in such form and under such circumstances as would not amount to an act of vagrancy, such person was not removable; although the words "likely to live by begging" afforded a wide latitude to the magistrates. It was not until the close of the long reign of George the Third, that England opened her eyes to her too generous folly, and beheld how she had been cheated through her own softness. The means of getting rid of a troublesome stranger were restricted, while the process to be gone through was tedious, and in some instances inconvenient. In the first place, no person was liable to be removed unless that person had committed an act of vagrancy, and had been adjudged to be a rogue and vagabond; and in the second, no person so adjudged to be a rogue and vagabond, could be lawfully removed without having been first *publicly whipped*, or imprisoned in the House of Correction. It was with this embarrassing state of things that the 59th Geo. 3. c. 12, commonly called Sturges Bourne's Act, attempted to deal. It therefore recites—"it is expedient to authorise the removal of such *poor* persons, although they may *not* have committed any act of vagrancy, and to authorise justices of the peace to cause such of them as may be adjudged to be rogues and vagabonds to be conveyed by a pass *without* having been first *whipped or imprisoned.*" So that, in order the more conveniently to get at the innocent poor, the rogue and vagabond was allowed to escape the whipping; and from that hour Irish vagabondism and Irish poverty have been classed in the same category, and shipped in the same boat.

Even at an early period the English law made a nice distinction between the Scotch intruder and the mere Irish. By the 59th Geo. 3. the Irish poor were to be removed, nominally to the "place" of their birth, but really to the *country* of their birth; but by the 17th Geo. 2. a Scotch vagrant was to be carefully delivered to the authorities of the nearest county across the Border; the Scotch authorities being charged to forward the vagrant to his or her place of settlement. The English official entrusted with the removal of the Scotch intruder was compelled to get a receipt for his safe delivery, which receipt was a complete discharge to the English official; it then devolving upon the authorities in Scotland, to whom the person was delivered up, and by whom the receipt

was given, to deal with the person so delivered "according to law." But the English conscience was quite satisfied by the removal of the Irishman to the "place of his birth," which, when translated into practice, meant the place *where the ship was going!* The master of a ship was bound, according to the 17th Geo. 2. "to take on board such *vagrant* and vagrants as shall be named and expressed in the said warrant, and convey him, or her, or them, to such place in Ireland, &c, as such ship, vessel, or packet-boat *shall be bound to, or arrive at;*" and the 59th Geo. 3. merely enacts that *chargeable poor* shall be removed "to the place of his or her birth, or last legal settlement, in the manner directed by the 17th Geo. 2. for the removal of rogues and vagabonds"—that is, to such place as the vessel "shall be bound to, or arrive at."

The 5th of George the Fourth did not affect the removal of the Irish poor, there being a distinct proviso in that act that nothing in it should extend to the removal of Scotch or Irish paupers.

The next material act was the 3rd and 4th of William the Fourth, passed in 1833. It prescribes a certain form of what is termed, rather by courtsey than in truth, an "examination," which examination is to be signed by the pauper, stating that he or she had been born abroad, and had not gained a settlement in England. Justices at quarter sessions are required to make rules and regulations by which the provisions for removal are to be carried into execution; with which requirement the magistrates throughout England complied, the result of their labours being characterised by a variety almost infinite. Much was left to the discretion of the pass-master, or contractor for removal, and the justices made their rules and regulations free from all control. Even by this act, passed so late as 1833, there was no provision compelling the parties removing an Irish poor person to be taken to the port nearest his place of birth; and, as might be supposed, the magistrates to whom the duty of framing regulations was entrusted, did not deem it any part of that duty to inconvenience the contractor. As a sample of the manner in which they were framed, we may quote one adopted for the County Bedford, which provides "that the Irish paupers, when delivered to Mr. Baker (a pass-master) shall be restrained on board his receiving ship, and on board the ships or vessels in which they

shall be delivered by him, for removal to Ireland, until landed at Dublin, Cork, or Waterford, or such *other* port or place in Ireland *as the state of the weather may render* DESIRABLE." There was no longer any compulsion on the captain or master to receive any pauper on board his ship, and the contractor was allowed a wide latitude in his bargaining for the transmission of his human lumber; and so if the pauper whose place of birth happened to be in a midland county, were landed at Cape Clear, or flung ashore at the Giant's Causeway, he had no right whatever to complain, his removal being according to law, and the convenience of those entrusted with that agreeable office.

The 3rd and 4th William 4. was re-enacted by the 7th William 4. c. 10, for three years; and a provision was introduced giving the officer in charge of the pauper the powers of a constable, so that he might detain the pauper in any county through which he might be passing, although not a constable of that county.

The 7th William 4. was again continued, by the 3rd and 4th Vic. c. 27, until the 1st of August 1843, when the 7th and 8th Vic., a further continuing act, was passed. But in 1845, the act now in force, the 8th and 9th Vic. c. 117, became the law of the land.

To this latter act it is necessary to direct the reader's special attention.

The second section enacts:—

"That if any person born in Scotland or Ireland, or in the Isle of Man, or Scilly, or Jersey, or Guernsey, *not settled in England*, become chargeable to any parish in England, by reason of relief given to himself or herself, or to his wife, or to any legitimate or bastard child, such person, his wife, and any child so chargeable, shall be liable to be removed respectively to Scotland, Ireland, the Isle of Man, Scilly, Jersey, or Guernsey; and if the guardians of such parish, or of any union in which the same may be comprised, or where there are no such guardians, if the overseers of such parish complain thereof to any one justice of the peace, such justice may, if such person do not attend voluntarily, summon him to come before any two justices of the peace at any time and place to be named in the summons; and at such time and place, or on the attendance of such person, any two justices may hear and examine into the matter of such complaint; and if it be made to appear to their satisfaction that such person is liable to be so removed as aforesaid, and if they see fit, they may make and issue a warrant under their hands and seals to remove such person forthwith at the expense of such union or parish."

By this act some little improvement is made upon the existing law as to the place to which the party removed is to be sent; for by the 4th clause the justices, who had been previously allowed a large discretion, are required to provide for the removal of parties born in Ireland to the ports named in the Schedule, "which are nearest to the respective places where such persons were born, or have resided, unless where any such persons consent to be removed to any other port in Ireland." The ports named in the Schedule are eight; namely, Dublin, Wexford, Waterford, Cork, Limerick, Derry, Belfast, and Dundalk.

A similar provision is made with respect to Scotch poor; but we may here remark, that the number of Scotch poor removed from England is so small, that their removal is regarded by the people of Scotland with comparative indifference.

Hitherto magistrates were required to make rules and regulations for removal, and did so without being subject to any controul or supervision; but by this act such rules and regulations, and alterations of such, must be approved by one of Her Majesty's principal Secretaries of State.

With a show of the utmost fairness, the following clause, giving the right of appeal against orders of removal, is introduced. It is the 6th section, and enacts:—

"That if any Board of Guardians of any union in Ireland, or the heritors and kirk session or borough magistrates in Scotland, think themselves aggrieved by any removal of any poor person under the provisions of this Act, and if they forward to the Poor-law Commissioners a statement of the case, and of any grounds for concluding that such poor person is settled in any parish in England, or was not in law liable to be removed to Ireland or Scotland, as the case may be, and if they or any persons on their behalf give *good security* in England to the said Commissioners for the *payment of all costs which may be incurred* in any appeal against the warrant for the removal of such poor persons, such Commissioners, if satisfied that it will be expedient so to do, *may* appeal, on behalf of the persons so aggrieved, to the court of quarter sessions holden for the county or borough from which such removal was made, held at any time within six months after such removal was completed: and such Commissioners shall, at least twenty-one days before the holding of such session, send by post or otherwise, to the guardians or overseers on whose application such warrant was obtained, notice in writing, purporting to be signed by their secretary, or one of their assistant secretaries, of their intention to appeal against such warrant, containing a statement in writing of the ground of such appeal."

The court of quarter sessions are to hear and determine

such appeal, and if the warrant of removal be reversed, the guardians or overseers who obtain it are to pay the costs, and provision is made for the recovery thereof. A power is given for abandoning the warrant, if the guardians or overseers think fit.

At a convenient opportunity we shall prove that this power of appeal is a practical farce; and, indeed, that under no possible circumstances is *any* power of appeal likely to be much better as a means of protecting the Irish-born poor from oppression, or the Irish Union from injustice. We shall now proceed with our statement of the existing law.

The power of removal was limited by the 9th and 10th Vic. c. 66, which may be popularly described as the Irremoveable Act. It provides "that from and after the passing of this Act no person shall be removed, nor shall any warrant be granted for the removal of any person, from any parish in which such person shall have resided for *five years* next before the application for the warrant."

This, on the face of it, would appear to be a kind of Poor Man's Charter; but it will be our duty to satisfy the reader that, so far from its being a means of protection to those whose sole capital is labour, it must be to them a constant source of disquietude and embarrassment, and can be, as it has been, converted into the most terrible engine of their oppression.

By the 10th and 11th Vic. cap. 33, a power, which may be fairly termed despotic, is given to parochial authorities over the poor; for it enacts, amongst other things—that "any guardian, relieving officer, or overseer of any parish or union in England might *take and convey* before two justices, *without summons or warrant*, any person who became chargeable to the parish or union, *or whom he had reason to believe was liable to be removed*."

The Scotch law of removal out of Scotland differs very little from the English, and may be said to be now contained in sections 77, 78, and 79 of the 8 and 9 Vict. c. 83. The whole system of poor-law administration in Scotland is strictly parochial; settlement, taxation, and administration being strictly limited to the bounds of the parish. The removals are from parish to parish, or from Scotland to England or Ireland. All who have not gained a settlement in Scotland are liable to be removed; and a settlement may be obtained by a five years' continuous residence in one parish, without during that time

applying for or receiving parochial relief, or resorting to common begging. Such is the only mode by which an Irishman can acquire a settlement in Scotland; but an Irishwoman may acquire a settlement by marriage in Scotland with a Scotchman. The provisions for removal by the English and Scotch law are so very nearly similar, that it would be an undue use of our space to state the latter in detail. It may be necessary, however, to set forth two provisoes of the 77th or removing section :—

"Provided always, that no person shall be so removed until there has been obtained a certificate, on soul and conscience, by a regular medical practitioner, setting forth that the health of such person, his wife and children as aforesaid, is such as to admit of such removal.

"Provided also, that nothing herein contained shall prevent any parochial Board, or their inspector, from making arrangements for the due and proper removal of such poor persons either by land or water, provided the arrangement be made with the *consent* of such poor persons themselves."

This "consent" when we enquire a little into it, will be found to have a meaning more parochial than popular.

The manner in which the law of settlement, removal, and non-removal affects the Irish-born poor, is the next subject of our consideration, and one into which we must enter at some length. Our design is rather to establish our case by the testimony of impartial, or even adverse witnesses, than to endeavour to make it out from the statements of paupers, whose testimony is fairly liable to the imputation of being one-sided and partial. But in order to place ourselves in a position to make use of such evidence as is absolutely essential to a due understanding of the hard case of the Irish poor, it is necessary to give a brief history of the important proceedings in Parliament during last Session in reference to the proposed abolition of the power of compulsory removal.

On the 10th of February 1854, Mr Baines, the able president of the English Poor Law Board, asked, on behalf of the Government, and in accordance with a pledge which they had given, for leave to bring in :—

"*A Bill to abolish in England and Wales the compulsory removal of the poor on the ground of Settlement; and to make provision for the more equitable distribution of the charge of relief in unions.*"

Mr. Baines introduced his motion in a speech characterised by admirable arrangement, great clearness, valuable detail,

and a spirit of manly and christian sympathy for the poor—a speech, in fine, which added in no small degree to his reputation in the House.

Mr. Baines expressed, with justice, his belief—we quote from the *Times* of Feb. 11th,—that the subject was "important to all classes of the community, to the commerce as well as to the agriculture of the country, to employers as well as labourers, and, above all, to that class of whom, in the situation he had the honour to hold, he must consider himself the advocate in that house—the class of destitute poor." Speaking for his colleagues, he said—

"They were all agreed upon this—that *nothing could be worse or more indefensible than the existing law.*"

All classes of the community enjoyed the advantages of free trade and unrestricted competition, save the man whose only capital was his labour. Says Mr. Baines—

"The only commodity the labourer possessed was his labour; and could it be said that he enjoyed free trade when he could not take his labour to the best market, but was obliged to remain in his own parish?" And, added Mr. Baines—"He (the labourer) might be removed by reason of his birth settlement, to a place where he had *no chance of the employment to which he had been accustomed all his life,* and where, consequently, his only prospect was *pauperism for life, and the communication of the taint of hereditary pauperism to his children.*"

Even the foreigner and the alien was more favourably circumstanced than the English-born labourer; for while the former, having no settlement, was entitled to relief in the parish where he became destitute, the latter was liable to be removed to the other extremity of the country. Mr. Baines puts the law affecting the Englishman as contrasted with the foreigner in a manner highly impressive; and in quoting his words, we believe we are offering to every humane and just mind the most conclusive argument in favour of the abolition of an unjust, unnatural, and impolitic law—a law which, however harshly it presses upon the Englishman, deals with the Irishman with tenfold severity. He says—

"Such a man was, therefore, in a worse position than the destitute foreigner, or a person whose settlement was not known. The latter might be relieved when he became destitute, and as long as he continued so; while a man who had a settlement at the other extremity of the country, if he received *a single farthing, or a single loaf of bread,*

as relief from the overseer, was liable to be removed by a justice's warrant to his legal settlement as the condition of that relief. There was, however, a further consequence of this law. If the man who had been removed, in the case he had just put, to the other end of the country, ventured forth again from the parish of his settlement, and came to the place from which he had been removed, and there by *any accident*—such as the stagnation of trade—became destitute again, he, as the law stood at this moment, was liable to be treated under the vagrant act *as a vagrant*, and might be sent to *gaol* and kept to *hard labour*, as an idle and disorderly person."

Mr. Baines substantiates his case by giving several instances in point, illustrating the hardships inflicted upon the poor but industrious man through the operation of this power of compulsory removal; and he quotes the following pregnant extract from the official communication of Mr. Doyle, Poor Law Inspector for the Staffordshire and North Wales District, who, writing to him in 1851, as President of the Poor Law Board, says:—

"But all other injurious effects of the law sink into insignificance when compared with the sufferings to the poor of which it is the source. In putting upon paper the plain matter of fact details of one or two out of many cases that have come under my own observation. I can hardly hope to escape the suspicion of writing *under the influence of exaggerated feelings.*

Last year, for instance, I was instructed by your board to inquire into the circumstances connected with the removal of a man with a family of young children from a union in Lancashire to a union in North Wales. He had been in the receipt of good wages, some 25s a week, in the parish in which he was on the eve of completing his five years' residence. From some cause his employment suddenly ceased, and he was compelled to apply for relief. The relief was at once granted, and, when accepted, an order of removal was taken out. In the meantime the man again got work, and was busy at his labour, earning the same wages as before, when he was *literally forced away*, removed to his parish, *a place he did not even know, where he was utterly friendless, and where he had as little chance of finding the peculiar employment to which he was accustomed, as if he had been cast on a desert island.* One of the witnesses, in the course of the inquiry, happened to remark, speaking of this man, 'he was more like a madman than anything else;' he suddenly broke out in uncontroulable passion, 'yes, and I *am* more like a madman than any thing else; it is enough to drive me mad to be dragged here with my family, as I have been.' I turned to the overseer of the removing parish, who was present, and asked, 'what induced you to remove this man under such circumstances?'—'*To prevent him from completing his five years, Sir!*' It would be *easy to multiply cases of this sort*, characterised by more or less hardship to the poor, so as to prove that one grievous general effect of the Poor Removal Act is

to stimulate officers, guardians, and ratepayers to have recourse to *every means in their power* to induce those who are liable to become chargeable to '*break their residence.*' From this district at least complaints are constantly made to your board of such proceedings; and, while investigating cases referred to me, I have seen quite enough of the means by which the provisions of the law are evaded, to know *how hopeless it is to attempt to check the prevailing practice, so long as the inducement to it exists.*"

Mr. Baines justifies his application to Parliament by adducing such venerable authorities as Adam Smith and Mr. Pitt. Adam Smith holds that:—

"To remove a man, who has committed no misdemeanour, from the parish where he chooses to reside is an evident violation of natural liberty and justice. There is scarcely a poor man in England of 40 years of age, I will venture to say, who has not in some part of his life felt himself most cruelly oppressed by this ill-contrived law of Settlements. . . . . Let the same natural liberty of exercising what species of industry they please, be restored to all His Majesty's subjects—that is, break down the exclusive privileges of corporations, and repeal the statute of apprenticeship, both which are really encroachments upon natural liberty, and add to these the repeal of the law of Settlements, so that a poor workman, when thrown out of employment either in one trade or in another place, may seek for it in another trade or in another place, without the fear either of a prosecution or of a removal."

On the 12th of February, 1796, Mr. Pitt thus expressed himself on this subject:—

"The laws of Settlement prevent the workman from going to that market where he can dispose of his industry to the greatest advantage, and prevent the capitalist from employing the person who is qualified to procure him the best return for his advances. These laws have at once increased the burdens of the poor, and have drawn from the collective resources of the State, to supply wants which their operation has occasioned, and to alleviate a poverty which they tend to perpetuate. . . . . I conceive that to promote the free circulation of labour, and to remove the obstacles by which industry is prohibited from availing itself of its resources, which go far to remedy the evils and diminish the necessity of applying for relief to the poor rates. In the course of a few years this freedom, from the impolitic restraint which these laws impose, will in part supply the purposes for which these laws were instituted. The advantages will be widely diffused, the wealth of the nation will be increased, and the poor man rendered not only more comfortable but more virtuous."

Mr. Baines wound up a singularly able and instructive statement by asking leave, on the part of the Government, to bring in his bill; of which it is only necessary to quote the

first and second clauses. Indeed the first is fully sufficient for our purpose:—

"I. After the passing of this Act it shall not be lawful for any justices of the peace to remove or convey, or to order to be removed or conveyed, any poor person from *any parish in England or Wales to any other parish in England or Wales*, on the ground that he is legally settled in such last-mentioned parish.

"II. And whereas it is expedient to make provision for the more equal distribution of the charge for the relief of the poor in Unions: Be it enacted, that from and after the passing of this Act, the charge for the relief of all poor persons in every Union formed or to be formed under the Act passed in the fifth year of the reign of King William the Fourth intituled, 'An Act for the better Administration of the Laws for the Relief of the Poor in England and Wales,' *shall be borne by the common fund of such Union*, to be contributed in the manner herein-after mentioned."

It is scarcely necessary to say, that the exclusion of the Irish-born poor from the operation of this benevolent bill excited the astonishment and regret of the Irish members who happened to be present, and who no doubt followed the right hon. gentleman's explanation of his proposed measure with unfailing attention. Nor was the omission unnoticed by English members. In the course of a brief conversation upon the Government scheme, as it must be called, Mr. Henley, a shrewd and sagacious member of the Opposition, and President of the Board of Trade under Lord Derby, thus pointed out the manifest inconsistency of legislating for the Englishman, and leaving the Irishman as the law found him:

"If all these evils existed, how long did the hon. gentleman expect to be able to make a distinction between the cases of the English and Irish poor? If the Irish poor were to be removed back to Ireland, would it be possible to say that the Englishman could not be removed? If they took away the power of removing Englishmen, he defied them to retain the power of removing Irishmen."

The members for Tyrone, Clonmel, and Dungarvan, (Lord Claude Hamilton, and Messrs. John O'Connell and Maguire,) both alluded to the omission; and Mr. Baines, when speaking in explanation of certain parts of his proposition, thus attempted to give a satisfactory reason for not having dealt with the question of the Irish poor:—

"The hon. member for Dungannon (Mr. Maguire) had, however, made an enquiry to which it would be right to give a reply. The hon. gentleman had asked what the effect of this bill would be with regard to the condition of Irish paupers. Now this measure would not affect their condition; it certainly would not prejudice it in any

way. He (Mr. Baines) had already expressed the opinion that the existing legislation on this subject was *not satisfactory*; but, for reasons he had mentioned, he had thought it advisable to confine this bill to the subject of removals on the ground of settlement. That was a very large subject in itself, and quite enough for present consideration in this bill."

On the 24th of February the hon. member for Dungarvan, took advantage of the opportunity afforded by the motion for going into the Committee of Supply, to bring the case of the Irish poor before the house. The object of the hon. gentleman's motion is best expressed in his own words:

"Mr. Maguire said, the object which he had in placing that notice on the paper was simply this—to draw the attention of the house to the harsh and unjust operation of the law for the removal of Irish poor from this country to Ireland; and also to place before the house some few instances which would prove, that the sufficiently harsh and stringent provisions of the existing law were overstepped and exceeded by the interest or the zeal of those who were entrusted with its administration in this country. He was most anxious to claim the attention of the right hon. gentleman, the President of the Poor Law Board, to the statement he was about to make; because his object in making that statement was to place such a state of facts before the house, as might induce the right hon. gentleman to consider the case of Ireland seriously, and induce that right hon. gentleman and his colleagues, on the second reading of his bill—of the main provisions of which he (Mr. Maguire,) warmly approved—to give an assurance to the Irish members, and those whom they represented, that Ireland should not be excluded from the humane and salutary operations of that bill. The main object of that bill was to confer on the poor man the right to relief in whatever parish he might find himself destitute at the time of his applying for relief,—that he should have a clear right to that relief, and that he might freely accept of it, and have no fear as under the existing law, that he was rendering himself liable to be removed to the parish in which he was born, or in which he had established a legal settlement. This change in the law, so far as it related to England and the English poor, he heartily approved; and he regretted that, when making his explanation of his bill on the occasion of its first reading, the President of the Poor Law Board did not allude to the case of Ireland more strongly than he did."

Having explained the state of the law affecting the Irish-born poor, and detailed several cases illustrative of the evils inflicted by its operation—cases which had been forwarded to him by the Guardians of the Cork Union—the hon member thus concluded:—

"He had that day read the account of an interview between the representatives of certain parishes of London and the President of

the Poor Law Board; and what that right hon. gentleman had said in reference to England was exactly applicable to Ireland. He told the deputation that he desired to put an end to compulsory removal, which was unjust and oppressive to the poor man—he meant Englishman, but he might with more justice have said Irishman. He said 'the act was unjust, impolitic and cruel, and one which the legislature were bound to put an end to.' Just what he (Mr. Maguire) insisted upon with reference to the Irish act, which was a blot upon the statute-book, and which a Christian legislature were bound to erase? He (Mr. Maguire) had shown that it was unjust and cruel; and any one would see that that was impolitic which prevented a cordial feeling between the people of both countries, which it was the duty of the rulers of both to cement at such a moment. The present law of removal, the right hon. gentleman said, 'was calculated to oppress the industrious classes who might fall into misfortune;' and he added, 'there could be no doubt that at present the grossest frauds were practised in some parishes by unscrupulous officers to get rid of the poor, when the five years' residence was about to expire.' If this were the case as against English-born poor, how much more so was it the case as against Irish-born poor? and if it were a harsh and cruel thing to drive an Englishman from one parish to another, what was it to take an Irish labourer or artizan, who had spent the best of his life—as all others of his class do—in adding to the commercial greatness and manufacturing prosperity of this country—to take this used-up Irish-born pauper, in the hour of his direst necessity, and fling him back, as so much human refuse, to rot and perish on the shores of his native land? Why in many cases, in most cases, these parochial authorities might as well send those Irish outcasts to the deserts of Siberia, or the back-woods of Canada, as land them in the streets of Dublin, Waterford, or Cork. He had now put the case of his poor country-people before the house, in order that the right hon. gentleman might have sufficient time to take it into his consideration. The law could not remain as it stood, for the feeling of Ireland was thoroughly roused against it; and he sincerely hoped that, on the occasion of the second reading of the English bill, the Government would be in a position to make the consolatary assurance, either that the Irish poor would not be excluded from its humane provisions, or that their case would be at once taken into their earnest consideration, with a view to the immediate repeal of a law which was selfish in its spirit, and harsh and cruel in its operation."

From the brief discussion which ensued, the following extracts may be interesting to the reader, more particularly the statement of the noble lord the member for Tyrone :—

"Mr. Baines said, he certainly was not disposed to underrate the importance of the subject which the honourable gentleman had brought under the notice of the house. He considered it to be one of the utmost importance, and upon which the house should possess the fullest information which it was in their power to obtain. He was glad, therefore, that the honourable member for Londonderry had

last night moved for the production of the correspondence which had passed between the Poor Law Commissioners in Ireland and the Poor Law Commissioners in England, and the Board of Supervision in Scotland, respecting the removal of paupers, because he felt that at present the house had not that information before them which would enable them to arrive at a satisfactory conclusion on the subject. When addressing the house on a recent occasion he expressed the opinion—and he was not at all inclined to recede from it—that the existing law with respect to the removal of paupers from England and Scotland to Ireland, was in a very unsatisfactory state, and required amendment. At the same time he could not help thinking that the hon. gentleman might have avoided bringing the subject forward under circumstances so little calculated to ensure for it that consideration to which it was eminently entitled. The honourable gentleman had introduced it at a time when the house were anxious to go into committee of supply, and when they were not in possession of the information upon which alone they could form a satisfactory opinion with regard to the operation of the present law. * * * * * * *

Under these circumstances, the house would perceive that the only fair course would be to allow the matter to remain as it was, until the correspondence moved for by the honourable member for Londonderry should be laid on the table. If that correspondence should turn out not to be sufficient for the purpose in view, he should be willing to afford every facility for investigating farther the operation of the existing law, and for putting the house in possession of such information as would enable them to decide whether, as he confessed was his own opinion, the law ought to be altered."

"Lord Claude Hamilton complained that the right hon. gentleman, while laying down the proposed alterations in the law, had wholly omitted to notice the great injustice which was perpetrated towards the Irish paupers. The right hon. gentleman's own statement that evening showed how well justified the hon. member for Dungarvan was in taking the course he had. He had himself admitted that there ought to be a change. He was aware that official gentlemen were usually reluctant to depart from the ordinary routine of the house, but he begged to remind them that independent members had, according to their forms, very few opportunities of bringing forward cases of grievance, and the hon. gentleman had taken the first legitimate opportunity that presented itself. However impatient the house might be to hear the statement of the right hon. gentleman upon the estimates, he must say the discussion had not been without its advantage, and he was glad to hear the right hon. gentleman state that he intended turning his attention to those cases of hardship. He feared the correspondence to which he had referred would fall far short of supplying all the information that was required. Not one hundredth part of the cases of injustice in which the unions found themselves fully justified in resisting the order sent them would be found in this correspondence. * * * * He might instance the case of one poor person, who after an industrial residence of 40 years in London, was, at the age of 82, sent back in the winter

season to Ireland. These cases showed the greatest injustice and cruelty; and no temporary inconvenience should prevent any hon. gentleman who was cognisant of similar ones, bringing the subject before the house. In the district of Westminster, he could give him a case from St. Margaret's parish, of one unfortunate woman, with five children, who had been 30 years resident there, and nine years consecutively in one house. Having received some temporary relief, she was sent by the magistrate's order, in the custody of the police, and shipped off to Ireland, without being allowed to sell her furniture or any little matters she had to dispose of. These examples might be quoted not only from London, but other towns; and in Liverpool he had heard of the case of an unfortunate man who had been 20 years residing there, and for the last ten years had resided in the same house without ever having been destitute, till by an accident he fell from the roof of a house, and applied for and obtained some temporary relief. The poor law officials obtained an order to have him sent to the hospital, and the moment he was able to leave it, he was seized as if he had been a felon, and although £10 14s was actually due to him at the time for wages, he was not allowed to get it, but was shipped off and landed in Ireland, at least 100 miles from his native place. Under these circumstances he did not think they ought to stand upon the question of whether this or that was the proper time to bring forward such cases of cruelty, and he was satisfied that such an appeal to the justice of the house would never be made in vain."

We now come to the most important feature in the history of the effort made upon behalf of the Irish-born poor, to obtain redress for their manifold grievances. Naturally anxious for the welfare of those poor creatures, and justly indignant at the wrong inflicted upon their country by the daily shipment of hordes of destitute paupers to their ports, several of the Irish members, without distinction of party, consulted togather as to the best means of having the claims of their poor recognised in the government bill. With that object in view, a number of them met together in private, and, after having given the question the best consideration, drew up a form of memorial, which was afterwards submitted to a general meeting of the representatives of Ireland, and unanimously adopted. It was addressed to the Home Secretary, Viscount Palmerston; and before it was presented to that high official, through the Chairman of the meeting, Lord Claude Hamilton, it bore the signatures of *seventy-five* Irish members—as many, in fact, as could by possibility be had, from absence and other causes. That memorial was adopted on the 15th of March, but was not presented for a day or two after: it was as follows:—

THE IRISH MEMORIAL.

"We, the undersigned, being representatives of Irish Constituencies, have observed that the effect of the bill recently introduced by Mr. Baines for the purpose of preventing the forcible removal of paupers from one union in England to another, will be to annul the law of settlement in England, except in certain cases; and that, if the bill should pass into a law, cases of destitution in England will be relieved and chargeable on the unions where the destitution occurs; and the law as regards England, in this particular, be thus assimilated in a great degree to the law as regards Ireland. But we observe that while it is thus proposed to abolish this forcible removal of paupers from one union in England to another, the bill makes no provision to prevent the forcible removal of paupers from unions in England to Ireland. This forcible removal of paupers to Ireland has not only long been a matter of great complaint and practical injustice to unions in Ireland, but has entailed upon the paupers removed the utmost hardships and sufferings, attended, in some cases, with loss of life. This evil, scarcely tolerable while there existed a law of settlement and of removal in England from one parish or union to another, would become intolerable if the law of the two countries should be so nearly assimilated, and the forcible removal of an English pauper from one union to another in England no longer permitted. The undersigned, therefore, feel it their imperative duty very respectfully and earnestly to invite the attention of Viscount Palmerston to this subject, and to express to his lordship their strongest conviction that the Irish pauper in England should be placed precisely on the same footing as regards removal, with the English pauper in Ireland, or the English pauper in England.

"To Viscount Palmerston, &c."

To this memorial the following written reply was given, but not until the time for the second reading of the government bill was close at hand:—

"The memorial which you sent me was taken into consideration, *by the Cabinet* yesterday evening, and *they* were of opinion that the case set forth is *irresistibly established*, and that *justice requires that the wishes of the Irish members should be complied with.* I will send the papers to Mr. Baines, and he will communicate with you as to the *best manner of carrying our common object into effect.*"

After this declaration on the part of *the Cabinet*, this promise of immediate redress, it may easily be imagined that the Irish members, of all parties, entered the House on Friday, the 24th of March, with a firm determination of assisting the Government to pass their bill another stage, feeling satisfied that they would then learn the mode in which their wishes and the promises of the Cabinet were to be carried into execution. The reader will now see how this solemn pledge was redeemed.

Previous to the order of the day for the second reading of the Settlement and Removal Bill being read, Lord John Russell, in answer to a question put by Mr. Henley, made this most important declaration as to the intention of the Government—

"The government were of opinion that if the law were altered with respect to the removal of paupers in England, the power of removing Scotch and Irish paupers from England, and of Irish and English paupers from Scotland, *could not be maintained; and they therefore intended to introduce a measure on the subject*, taking all the precautions it was necessary to take in order to prevent abuses similar to those which occurred a few years ago at Liverpool, and which would be likely to occur again if there were merely a simple repeal of thelaw. With these precautions they did hope to abolish such power of removal."

In the course of the debate on the second reading of the bill, Lord Dudley Stuart, who is favorably known to the public as the champion of all oppressed nationalities, and the special patron of expatriated Poles, deprecated the severity of Mr. Baines's previous criticism of the law of removal, but, with unconscious force, presented it in a more revolting light himself. He said :—

"Altogether could not help thinking that the right honorable gentleman, who introduced this bill with so much ability and good feeling, as every one admitted he had exhibited, had fallen into a mistake likely to produce consequences most injurious to the country. In introducing this measure, the right honorable gentleman had, he thought, given rather an exaggerated account of the law of removal; nor had he stated the law quite accurately. The right honorable gentleman had forgotten that, by the present act, a man could not be removed if his destitution were caused by *sickness or accident, unless* it were certified to the magistrates *that that accident or sickness was likely to render him permanently chargeable.*"

Sir George Grey was not, on the occasion of this debate, what he has since then become, a member of the Cabinet. If

he had been so at that time, neither Lord Palmerston, in his answer to the Memorial of the Irish members, nor Lord John Russell, in his place in the House of Commons, could have made the declarations which we have placed before the reader —on the part of a Cabinet holding the same opinions on this subject; for that right honorable gentleman, though proffering his "cordial support" to the Government bill, and asserting that it was based on "sound principles," "founded on an accumulated mass of evidence which was eminently entitled to the respect of the house," strenuously resisted the application of the same "sound principles" to the case of the Irish poor.

"Most assuredly (said Sir George Grey,) strong as his feeling was in favor of the measure, as applicable to *English* removals, he should feel bound to withhold his consent if this fresh principle was introduced into it. He had been, when he held the office of Secretary of State, made intimately conversant with the hardships, the inconveniences, and manifold mischiefs experienced by Liverpool, Glasgow, Bristol and other towns along that coast, from the enormous number of Irish paupers who were systematically brought over from Ireland in the steamers at 6d, and even 2d. a-head; and he should certainly protest against the check to this monstrous abuse being removed."

Mr. George Henry Moore, member for Mayo, thus expressed his opinion and his determination—an opinion in which those who read the declarations of such men as Lord Dudley Stuart, Sir George Grey, and others of the same party, must at once agree—and a determination in accordance with that policy which we are inclined to think alone likely to succeed.

"Mr. Moore thought it was a delusion to suppose that, if the case of the Irish paupers were not dealt with by a provision in this bill, there would be any chance of success for a separate measure on the subject. That being his opinion—though he intended to vote for the second reading—he should certainly not support the further stages of the bill if a provision to meet the case of the Irish paupers were not introduced in committee."

On this occasion Lord Claude Hamilton explained to the House the circumstances under which the Memorial was adopted, and read that document, together with the reply given by Lord Palmerston.

The debate was adjourned till the following Thursday, by a special vote to that effect; and on that day the fate of the bill was finally decided for the session.

A brief conversation took place in the House of Lords

between the Earl of Derby and the Earl of Aberdeen, which was terminated by the latter noble lord saying:—

"I have to state, in reply to the noble Earl, that the government intend to proceed with the bill for the improvement of the law of settlement. I admitted that this bill *necessarily involved the consideration of the removal of the Irish and Scotch paupers*, but I said, and I repeat it now, that the government do not intend to include in the consideration of that part of the subject now before Parliament any clauses on the subject of the Irish and Scotch poor. What may be the course pursued with respect to the adoption of any measure for the removal of Irish and Scotch paupers, I am not now prepared to say, *but I admit fully that the bill involves the necessity of dealing with the subject.*"

Previous to the order of the day for the resumption of the debate in the House of Commons being read, Lord John Russell stated, in reply to a question put by Mr. Walpole, as to the intentions of the Government with respect to the Irish and Scotch paupers—

"That Her Majesty's government were *not* prepared at that moment to state in detail the measures they would propose with regard to the Irish and Scotch poor in England, and he did not think that circumstance formed any sufficient ground for postponing the second reading of the bill. He considered that after the second reading of the bill, the committee should be postponed for a considerable time, in order that, before they House proceeded to consider the bill in committee, they might be in possession of the views of the government."

The order of the day having been read, Mr. Packe moved that the debate be adjourned until the 28th of April; and he did so, he said, in consequence of the unsatisfactory answer given by the Leader of the House to the Right Honorable gentleman the member for Midhurst.

Mr. Walpole next addressed the House, and, in the course of his speech, urged the necessity of dealing with the case of the Irish and Scotch poor in the same bill, or at the same time. We extract one passage from his speech, as we regard his admissions of the highest importance to a right consideration of the subject:—

"Mr. Walpole hoped the noble member for the city of London would re-consider his determination, for he thought any decision to which the House might come upon this subject now must be extremely unsatisfactory. They had been told on Friday evening that the claim of the Irish poor irremovability was in the opinion of the government, irresistible, and he certainly thought that, according to the principles upon which this bill was framed, that claim was

irresistible. The bill was framed upon two principles—first, that the poor man was entitled to make the best use of his labor in the manner most advantageous to himself; and, secondly, that destitution, and not settlement, should be the ground of relief. If, then, the English poor were entitled to make the best use of their labor where they could, the same principle ought to extend to the Irish and Scotch poor; and if destitution, and not settlement, was to be the principle upon which relief was given, the claim of the Irish poor was even stronger than that of the English poor, inasmuch as the Irish had no settlement. He conceived that unless the House obtained from the government full information with regard to the measures to be introduced, as applicable to the whole United Kingdom, they would involve themselves in serious difficulties in dealing with this subject. He understood the noble lord opposite to state on Friday, that the measure with respect to the Irish poor would require great consideration; but, if the claim of the Irish poor to irremovability was irresistible, he (Mr. Walpole) could not draw a distinction between the Irish and the English poor, and whatever regulations in detail were applied to the one, they would be forced *ex necessitate rei*, to apply to the other. He thought, therefore, that the regulations which were to apply to the Irish poor should be explained to the House, in order that the poor of England might be acquainted with them."

It has been seen that Lord John Russell clearly held out the hope, that, when the bill would be in Committee, the House would be in possession of the views of the Government with respect to claims which were admitted by an unanimous Cabinet to be "irresistibly established." The President of the Poor Law Board soon dissipated the delusion in the following words, which are given accurately from the *Times* of the next day—

"Mr. Baines said, that the definition of the right hon. gentleman of the principle of this bill, that it introduced destitution instead of settlement as the ground of relief, was inaccurate, since destitution was already the ground of relief. He had heard no satisfactory reason why this measure should be postponed until the measure with relation to Irish and Scoth removals was before Parliament, and he certainly could not undertake any share in the responsibility of such a postponement. He regarded it as of the greatest importance that the English measure should be passed without delay. He had, when he introduced the measure, distinctly announced that it had been carefully drawn up, so as to apply only to the case of removals in England and Wales, on the simple ground of settlement—a question not applicable to Ireland; so that the House could legislate upon the English measure without being at all compromised on the subject of Irish and Scotch removals. He had further stated, in reply to the Hon. member for Dungarvan, that it would be impracticable to legislate upon Scotch and Irish removals until more complete information on that subject had been obtained, which complete information,

he would now add, was still wanting. He quite admitted the expediency of arriving at a solution of the Irish and Scotch question, so soon as it should be practicable to do so, and he trusted this solution would not be long delayed; but, meanwhile, there was no sound reason why the English question, which was perfectly ripe for solution, should not be settled."

Mr. H. A. Herbert, member for Kerry, supported the amendment on the grounds that "the question of Irish removals should be settled in connection with that of English removals, so that Irish paupers should not remain subject to hardships from which English paupers had been relieved."

Lord Palmerston, who had been absent on Friday evening, then addressed the House in a speech, to which, as might be expected, all parties listened with profound attention; the declaration of Mr. Baines having come upon the Irish members like a thunder-clap, after the Cabinet reply to their memorial. We offer no apology for placing before the reader a considerable portion of his lordship's speech, which, while manifestly made with a view to an immediate object—the success of the motion for the second reading of the Government bill—was valuable as a somewhat generous appeal in behalf of the industrious Irish labouring population of England—

"Viscount Palmerston did not see the logic of the conclusion at which the Right Hon. gentleman opposite had arrived, that because the Government was not, at present, in possession of sufficient materials for maturing the details of the measure, with regard to Ireland, the House was, therefore, not to proceed to affirm the general principle of the now proposed measure, by reading the bill a second time. He quite agreed with the right hon gentleman, that if you deal with the question of pauper removals, you cannot deal with those of England only; the Irish Question must undoubtedly be grappled with and disposed of, for no man could deny that it would be an act of the grossest injustice to give to the English labourer the right of not being removed, while you left the Irish labourer exposed to that liability. There was no question that all should be dealt with on the same principles. You had two men working in this town, or in some other great English town, contributing by their labour to the prosperity of the place, serving the people of the town, and performing all the hard work of the town. Here, in this very town, if you saw a man mounting a steeple, going up an almost perpendicular ladder with a hod of bricks upon his shoulder heavier than himself, and which, perhaps, he could hardly carry upon level ground, you might rely upon it the man was an Irish labourer. In short, if you saw a man engaged in work which beyond all other required physicial strength, endurance, and contempt of danger, the probability was that he was an Irish labourer. Well then that man, if unable to work, and all his family, if he should die, were to be

exposed to all the injurious consequences of removal to a distant part of the country, while an Englishman or the family of an Englishman, under similar circumstances, were not so to be dealt with! Now, as long as parliament maintained the present law, they dealt with the English as they dealt with the Irish pauper, and nothing could be fairer than that. But if they were prepared, on full consideration of the case, to say that the power of removal should be taken away as regarded the English poor, justice did require that it should also be taken away in the case of the Irish pauper, or, if not entirely, at least that it should be very much restricted. He said 'very much restricted,' because great apprehensions prevailed upon this matter, and upon these grounds he thought what his right hon. friend (Mr. Baines) said was worthy of attention—namely, that some further inquiry was necessary, not simply to obtain materials for legislation, but to remove unfounded prejudices. English gentlemen were fearful that if the Irish should not be removable, the union-houses in England would be flooded by a deluge of Irish paupers. Now how were those paupers to come to this country? who was to send them? If he were not greatly mistaken, not one farthing of the Irish poor-rate could legally be employed in sending Irish paupers to England; but, then, it was said that individuals would send over paupers to this country at their own expense. Well, he would not endeavour to conceal any features of the case. He would take for granted that some had been sent from towns in Ireland near the coast to lighten the burdens of those towns, and to cast the burdens upon some English towns upon the opposite coast. Now, he thought that while, on the one hand, it would be perfectly just to protect the Irish labourer from the present operation of the law with respect to removal, it must be admitted that, on the other hand abuse ought to be prevented in this particular; and therefore, without pledging himself to any particular measure upon the subject, it struck him if Parliament were to say that, in order to entitle the Irish labourer to be unremovable, it should be necessary for him to have passed one twelvemonth in industrial occupation in the town in which he claimed relief, some arrangement of that sort would remove any reasonable apprehension of abuse in regard to the coming over of Irish labourers. After all, the number of removals which now took place was much smaller than many persons imagined. In March 1853, the whole number of orders executed for the removal of Irish paupers was not above 4,800, and therefore if Parliament shut the door against the kind of abuse to which he had adverted, and confined the operation of the law to *bona fide* Irish labourers settled and employed in English towns, Hon. members would find, on inquiry, that the apprehensions entertained were really to a great extent founded on mistake. It appeared to him however, that the justice of making such an arrangement, and the necessity of some further investigation in order to determine upon the measure by which that object should be accomplished, form no reason why the House should not now come to a decision upon the second reading of this Bill. The Third stage of the Bill would naturally be postponed, and they might reasonably hope that before the House was called upon to go into

Committee, the measure to which he had referred would have made such progress that Her Majesty's Government would be able at least to state to the House the nature of the bill they proposed to introduce.'

The opinions expressed by Sir John Trollope, who formerly filled the office now held by Mr. Baines, are too important to be omitted. His short speech upon the subject was clear, forcible, and straightforward, demolishing, with a few vigorous strokes, the frivolous objections raised by alarmed selfishness.

"Sir J. Trollope said, it had always appeared to him impossible that the legislature of this country could sanction a measure of this kind relating to the English poor unless it was prepared, at one and the same time, to consider the law which affected not only Ireland but Scotland too. It was perfectly clear to him that Parliament ought to consider the whole subject together; and his opinion was that, if they repealed the law which gave the power of removal as regarded English poor, they must prevent the removal of Irish poor also. The large influx of paupers from the sister country, which had been complained of by some of the towns in this country, had been brought about by circumstances which all hoped that Providence would avert for the future. In this country labour was not so plentiful as it had been heretofore, which makes working men of great value, and employers generally are very thankful to receive them. At present Irish labourers went to the agricultural districts when their services were required, and parishes were rarely burdened with them except from casual sickness, when it would be the opinion of every one that charity ought to be extended to them. He thought, then, the house ought not to consent to the second reading of this bill without having some knowledge of the other measures which must be consequent upon it, and which, in his humble opinion, ought to be dealt with simultaneously."

Colonel Dunne, who, as others of his countrymen, had resolved to support the second reading of the bill, was compelled to vote for the amendment after the declarations he had heard. The hon. and gallant member shrewdly observed:—

"Unless the poor of the two countries were treated in the same bill, he believed now they would not be placed upon an equality, and he therefore could be no party to passing this measure for the Government. They ought not to be asked to pass this bill by the aid of Irish members, and then *have the Irish measure thrown out by the aid of English members.*"

Mr. Maguire, after referring to the memorial and the assurance in reply, said that "he despaired of obtaining redress for the Irish poor if the provisions of the present bill were not extended to that country." He also expressed his opinion "that the proposal then made was an attempt to cajole the Irish members; and he warned them that, if they consented

to pass the bill as it then stood, they would forfeit the power of putting the screw on the Government."

Lord John Russell wound up the debate, and ridiculed the notion of the Irish members, that they were serving their cause by delaying the passing of the bill, even though it was of an apparently exclusive nature; for, as he said, "it was clear that if it were decided that in England paupers should no longer be removable, and that if the House of Commons consented to this bill being advanced a stage, the claims on the part of Ireland would become irresistible."

It would appear that the noble lord's appeal was about as unsuccessful as the claims of the Irish poor, as the amendment, for the adjournment of the debate until the 28th of April, was carried by a majority of 26—the voting being 209 Ayes to 183 Noes.

After such a night of ministerial cross-purposes, it is not to be wondered at that the resignation of the President of the Poor Law Board became a matter of general publicity, and indeed of no small regret; for it may be safely said that the interests of his important department had been rarely represented with such ability in the House, or its functions discharged with greater satisfaction to the public. However, all anxiety was set at rest by Mr. Baines himself, who, on the following Thursday, explained the reasons for his temporary withdrawal, and the motives which induced him not to persevere in his intention—reasons and motives, as those who spoke upon the occasion asserted, alike honorable and creditable to that gentleman. Mr. Baines then stated that the decision of the Cabinet "that the wish of the Irish members ought to be complied with," "was communicated to the Irish members without his being at all aware of it"—at which rather cavalier proceeding he admitted that he felt "somewhat hurt and mortified."

Lord Palmerston said he though this right hon. friend was quite aware of it; but so far from contemplating any change in the bill of his right hon. friend, he had requested the memorialists to communicate with him as the best mode of its being done, &c. &c.

The bill was shelved for the session.

In fulfillment of his promise of making further enquiry with respect to the removal of Irish and Scotch poor, Mr. Baines moved for and obtained a Select Committee, appointed to "in-

quire into the Operation of the Act 8 & 9 Vict. c. 117, relating to the Removal from *England* of Chargeable Poor Persons born in *Scotland, Ireland,* the *Isle of Man, Scilly, Jersey,* or *Guernsey;* and also into the Operation of the Act 8 & 9 Vict. c. 83, relating to the Removal from *Scotland* of Chargeable Poor Persons born in *England, Ireland,* or the *Isle of Man.*"

It was arranged, according to a calculation more plausible than practically equitable, that the three countries should be equally represented upon this Committee; and five were accordingly allotted to each.

The English members were—Mr. Baines, Chairman, Sir George Grey, Sir John Trollope, Sir Benjamin Hall, and Mr. Liddell.

The Scotch members were—Colonel Mure, Mr. Dunlop, Colonel Blair, Mr. Alexander Hastie, and Mr Bruce.

The Irish members were—Sir John Young, Mr. G. A. Hamilton, Sir Robert Fergusson, Mr. Ball, and Mr. Maguire.

During the course of the session, certain changes were made in the Committee, such as the substitution of Sir John Packington for Sir George Grey; and the substitution of Mr. Archibald Hastie, Mr. Sterling, and Mr. Ingham, for other Scotch and English members. The Irish members continued all through as they were appointed.

The Committee held its first sitting for the dispatch of business on the 11th of May.

Having stated, we think with sufficientfulness, the nature of the law of removal, and given a history, perhaps too tedious, of the attempt to accomplish its repeal, we shall now proceed to avail ourselves of the evidence taken before the Select Committee, in order that the reader should understand the mode in which the law is administered, and the motives which influence the authorities of Scotch and English parishes to resist its abolition.

We have seen how the Irish pauper who becomes chargeable, or whom the overseer or relieving officer believes is liable to become chargeable, may be dragged before the magistrates without summons or warrant; and we shall now perceive how certain he is of having a humane law mercifully administered in his favour. But first as to the practice adopted, or ordered to be adopted, in the removal of English paupers.

When an English pauper is being removed from one parish

to another in England, the justice's clerk sits by and takes down the depositions; which depositions he must preserve, as the parish to which the pauper is to be removed is entitled to have copies of them, so as to know precisely what has been sworn in order to establish the right of removal. The removing parish is bound to give notice immediately of the order of removal, and the grounds of such removal; and the copies of the depositions, if required by the parish of the alleged settlement, must be sent at least three weeks before the settlement can take place. Thus sufficient time is allowed the parish against which the order has been obtained to inquire into the entire facts of the case; and upon the result of that inquiry depends their reception of the pauper, or their resistance to the order by appeal; but where the question is to be settled by appeal, the pauper *remains* in the removing parish until a decision has been had upon it.

We cannot, after the statement of Mr. Baines, pretend to say that even the strictest observance of these formalities is sufficient for the protection of the English pauper, or the parish of his alleged settlement; yet it must be admitted that this process of removal offers a very favourable contrast to the utter absence of ceremony with which the removal of the Irish pauper is conducted. No doubt, the statute prescribes a certain form of examination, which should be gone through before the order is obtained; but the whole thing is little better than a farce, and as a protection to the pauper against illegal removal it is utterly worthless. That there may be no mistake as to its character, the following stereotyped form of examination, prescribed by the act, is given:—

"The examination of taken on oath before us, two of Her Majesty's Justices of the Peace acting in and for the [county, riding, city, borough, town corporate, division or liberty] aforesaid, this day of in the year of our Lord one thousand eight hundred and , who on oath saith, that according to the best of [his or her] knowledge and belief, [he or she] was born in , in that part of the United Kingdom called Scotland [or Ireland or in the Isle of Man, or Scilly, or Jersey or Guernsey,] which [he or she] left about years ago, and hath no settlement in that part of the United Kingdom called England, and hath actually become, and is now chargeable to the [parish, township &c.] of in the county of [and that he hath a wife named , and children, neither of which children have gained a settlement in England.] Sworn the day and year first above written before us."

The blanks in this comprehensive document have to be filled up, and the signature or mark of the party to be removed attached to it. If the pauper give all the information required, the order is granted, as a matter of course; and even where the pauper refuses, no difficulty arises in consequence, for the relieving officer may be sworn and examined as to any statement which the pauper had made to him as to his place of birth. It will be observed that the pauper is called upon to declare that he has no "settlement" in England, a thing of itself the most preposterous that can be imagined; for an ignorant, illiterate labourer has a question proposed to him which is sufficiently complex to puzzle the twelve judges. It frequently happens that the blanks have been previously filled up; and in that case the pauper is required to assent to a form of words of which he can have but a very vague notion, if he have any whatever. Of course, there are careful and conscientious magistrates, who minutely enquire into each case, even though it be only a mere Irish one, and refuse to give an order until they have explained to the pauper the full meaning of what he assents to or denies; but care and conscientiousness in the discharge of this routine duty are not to be too rigidly required, if the testimony of certain of the witnesses examined before the Select Committee is to be relied on. "Upon the latter part of the form of examination about a settlement in England, the justices make the order *very readily*; it almost becomes a *mere matter of form*." This is the observation of Mr. Lumley, Assistant Secretary to the Poor Law Board, who further remarks—

"When you give to the justices a printed form, and they understand that all that is necessary is to get this printed form of examination signed, that, for the most part, excepting where there are very skilful and careful men, is very apt to be done *quite as a matter of course*. I know that some of the justices do not so regard it. I believe at Manchester, where there is a very careful stipendiary magistrate, Mr. Maude, he takes a very great deal of trouble before he ever submits to pass, or to sign these orders; so the police magistrates do in London. But where the orders are obtained from the justices without much form or ceremony, they appear to consider that all that is necessary *is to sign this document, and the parties are removed accordingly*; and it forms a great ground of complaint on the part of the people in Ireland at the way in which the matter has been done."

Perhaps, the readiness with which the magistrates adjudicate upon questions of settlement may not, in the present

state of the law, be a matter of very serious importance, as the Irishman's chance of obtaining a settlement in England is next to desperate, as witness the following extract from the examination of Mr. Lumley, Assistant Secretary to the Poor Law Board:—

"Sir J. Young—A five years' residence does not in any case give a settlement?

Mr. Lumley—No.

Mr. Dunlop—What length of residence gives a settlement to a Scotchman or an Irishman?

Mr. Lumley—*No length of residence at all.*

Sir. G. Grey—But may a Scotchman or an Irishman acquire a settlement by the same modes by which an Englishman may acquire one?

Mr. Lumley—*The real truth is, there is hardly any mode of acquiring a settlement at all.*"

There are, however, two modes by which an Irishman may acquire a settlement, such as would entitle him to relief without dread of removal—by renting a tenement, *or purchasing an estate;* and these Mr. Lumley enumerates with exemplary gravity.

We do not think it would be advisable to dwell upon the latter mentioned mode of obtaining a settlement in England; and as to the former, the following, from the evidence of perhaps the most important of all the witnesses examined—namely, Mr. Robert Pashley, Q. C., a member of the English bar—will be sufficient to shew how next to impossible it would be for the hard-working Irish to be able to plead it as a bar to removal:—

"For instance, take a settlement by renting a tenement; with respect to the Irish, that perhaps, in London, is the easiest mode in which they can acquire it. I say this, from my own experience in courts of law, because in some years practice I have found that a large proportion of the questions of settlement by renting a tenement, arising in London, have arisen on a question of 40 days' occupation of some single room, or a couple of rooms, at 4*s.* a week, which before a certain day in the summer of 1819 gave a settlement; that was a sort of thing which a mechanic in good employment in London might easily acquire, and it was acquired to a very considerable extent. The Legislature comes in 1819, and restricts it to an occupation for a whole year to the actual payment of 10*l.* rent, not the payment of 4*s.* a week for six weeks, which was enough to give the power of acquiring a settlement. I may add, in a word, that *all the subsequent legislation,* as those Members of the Committee who are familiar with it will remember, *has restricted the power of acquiring a settlement.* The 6th of George the 4th has *still further*

restricted it. In the 1st of William the 4th, in 1830, it undergoes *another restriction.* The Poor Law Amendment Act makes *another restriction,* in the payment of rates for *a whole year, as well as the other conditions;* therefore there are now five different kinds of settlement by renting a tenement, and that power which was possessed before 1819 has been very much restricted. I mention this, to show that the right of staying here is very much diminished."

As the mode in which orders of removal are obtained from magistrates is a matter of considerable importance, we are anxious to hear the Assistant Secretary of the Poor Law Board a little further upon the subject; and with that view we further quote from his evidence. Mr. Lumley says :—

"The police magistrates, when applied to, are very careful in making their orders. On the other hand, *if there is a difficulty* in obtaining an order from a police magistrate, an application may be made to two justices sitting, not at petty sessions, *but in their private rooms,* who *will make the order,* whereas the police magistrate hesitates or declines to do so. That proceeding has been felt very much, as being not a course of action which is desirable.

"178. Mr. *Maguire.*] Of your own knowledge, is it frequently the fact that magistrates do hear those cases, and determine upon those orders, at their private residences?—I am quite aware that in the metropolis *it is customary for two justices to make the orders,* although the police magistrates, if application were made to them, would *decline to do so.*

"179. Sir *G. Grey.*] Do you mean to say that the two justices will make an order upon the same facts as those upon which, if they had been placed before a police magistrate, the police magistrate would not have made the order?—*Yes.*"

Startling as this latter reply may appear, it is susceptible of proof. By the Irremoveable Act, an unbroken residence of *five years* is a legal bar to removal; but an Act of Parliament is one thing, while its reading by a "county" Magistrate or a Board of Guardians is quite another. If ever words were clear, beyond the possibility of mistake, the words of the section in question are those words; and yet, what will the reader think, when we state, upon authority that cannot be controverted, that in very many parishes the Irish poor have only within the last *two* years been allowed the benefit of an Act of Parliament which has been in force for *nine* years! An ordinary person would suppose that by no possibility could there be a mistake as to the meaning of these words:—

"That from and after the passing of this Act *no person shall be removed,* nor shall any warrant be granted for the removal of any person, from *any* parish in which such person shall have resided for *five* years next before the application for the warrant."

But yet, as we state, the meaning of these plain and simple words, which a child might easily comprehend, was either misunderstood, or was affected to be misunderstood, for several years. Soon after the Act was passed, the English Law Officers of the Crown expressed a positive opinion, that there was no doubt that it was of universal operation with reference to Scotch and Irish, as well as English paupers; and the Poor Law Board uniformly advised Boards of Guardians, by whom an objection was raised or a doubt expressed, that the Act *did* apply to Scotchmen and Irishmen, and that they had the same privileges by it as Englishmen. Yet, in spite of the plainness of the words, the opinion of the Law Officers, and the official advice of the highest known authority in the administration of the Poor Law, Magistrates and Guardians persisted for years in their wilful ignorance, to the violation alike of the law of the land and the principles of justice. In stating this, we do not rely upon any hostile evidence, nor do we dream of bringing an Irish pauper into the witness-box; we rely upon testimony that must be conclusive. Mr. Lumley it is who says:—

"In consequence of this doubt, however, it was held by various people who wished to use the doctrine that Irish persons were *not* within the Irremovable Act, and consequently, *no matter what length of time they had resided in a parish, that they were removable.* In consequence of public opinions expressed by the Poor-law Board, and which were generally entertained by themselves, I suppose all the police magistrates in the metropolis, without any exception, refused to make the orders of removal when it was proved that the parties had been five years residing in any particular parish, and were entitled to exemption under this Act of Parliament; but the *county magistrates of the metropolis,* entertaining a different feeling upon the subject, not being restrained by the public tribunal of a police court, have been in the practice of making orders; and we have found *upon various occasions* that the parish officers and the authorities have gone to *two county magistrates,* whom they have met, and from them they have *obtained* an order for the removal of persons who, if they had been taken before the police magistrates' court, *would have been exempted from removal on the ground of five years residence.*"

From the position which Mr. Lumley holds, and the accurate knowledge which he possesses through his official capacity, his evidence might be regarded as conclusive upon this point; but in order to elucidate it more fully, it may be as well to have the practical testimony of a few other witnesses.

Mr. W. Chambers, Assistant Clerk to the West London Board, is the witness under examination—

"6977. Mr. *Baines.*] You are aware that at present an Irishman, like an Englishman, becomes irremovable after five years?—Yes.

6978. And you give the Irish the benefit of that provision, I presume; we have heard of some parishes where that is not done: you have always construed it as including the Irish?—*Recently we have;* there has been a decision, I think, to this effect, that the removal of Irish poor comes within the operation of that Act of Parliament.

6979. I hope that you are uniformly acting upon that now?—It is so, I believe, as far as my own belief goes.

* * * * * * * * *

7060. Mr. *Maguire.*] Was this the section of the Act about which your Board of Guardians fonnd a difficulty in being able to construe it in favour of an Irishman: 'Be it enacted, that from the passing of this Act no person shall be removed, nor shall any warrant be granted for the removal of any person from any parish in which such person shall have resided for five years next before the application for the warrant'?—I am not aware that any difficulty ever occurred with the Board of Guardians, or that the matter was ever discussed by them; certainly when that decision to which I have alluded occurred, the attention of the officers was drawn to the matter, and that effect was given to it which was incumbent and imperative.

7061. But, in point of fact, you were actually ignorant of the privilege which this Act granted to an Irishman before the promulgation of that decision?—It was a question of law."

Mr. R. T. Tubbs, now Assistant Overseer in the parish of Marylebone, but formerly holding an office under the Shoreditch board, is the witness examined.

"7198 Mr. *Maguire.*] Was the rule adopted in Shoreditch two years ago, the same as was adopted in the West London Union, as stated by Mr. Chambers?—To the best of my recollection *it was.*

7199. They did not know that the irremovable Act applied to an Irishman, as well as to an Englishman?—*I believe there are some parishes now which have some doubt upon the subject.*"

Mr. W. Cornwell, Assistant Clerk to the guardians of the Bermondsey board, is still unconvinced that the act applies to the Irish:—

"7552. Mr. *Baines,*] You have spoken of the Five Years Act; have you all along given the Irish the benefit of that Act?—*No, I have not.*

7752. You were under a mistake, were you?—I was under a mistake. *My opinion is still, that it does not affect the Irish.*

7554. I hope that is not your practice now, since the Court of Queen's Bench have laid down the other rule?—No; there is one case in which the Court of Queen's Bench laid down the rule, which pretty nearly applies to it I think."

Mr. C. H. Rickards, Senior Vice-Chairman of the Manchester Union, gives this further striking testimony with reference to this point:—

"6307. Mr. *Baines.*] Does any further suggestion occur to you for the improvement of the management in removal?—I think it very desirable that, where circumstances will admit of it, all orders of removal be approved by a stipendiary magistrate, and that where this cannot be accomplished, an officer without local interest be appointed by Government to act in a similar manner, and that all questions of disputed settlement be decided by the same authorities.

6308. That, you think, might be a useful check?—Yes; not that I am aware in Manchester of *any irregularity* having occurred. I ought not to state, perhaps, from hearsay, *but I have understood that elsewhere all Irish cases are passed that apply.*"

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"6362. Mr. *Maguire.*] You stated that there was a general assertion that, in one place (you did not say which it was,) all Irish were passed who applied; what place was that?—That is mere hearsay, therefore I should feel a great disinclination to answer that question.

6363. Have you heard it said several times?—*Yes.*

6364. By what class of persons?—*By poor-law officials.*

6365. Reliable persons?—*I have not a doubt on my own mind that that is the case.*

6366. That they have been *sent over indiscriminately?—I have not a doubt of it.*"

Were it necessary to add anything to the evidence which we have given in illustration of the manner in which the law of the land has been shamefully and persistently violated, to the injury, perhaps to the utter ruin, of the wretched Irish applicant for relief, we could do so; but we feel satisfied we have given sufficient to exhibit how powerless is the shield which the law affords to poverty when it has might and selfishness to contend against. So much for the violation of the law; now as to its strict enforcement.

The parish of Marylebone, in London, may be fairly set down as an average specimen of what London, indeed English, parishes are. What Marylebone does, any parish in England might do, and no doubt will do when it sees fit. Mr. R. T. Tubbs, its Assistant Overseer, is examined as to its practice with regard to removals; and his answers are marked by a beautiful simplicity—"we remove all" is the burden of his song.

"7119. Mr. *Baines.*] What is your practice at Marylebone with regard to the removal of Irish?—If we find that they have completed an industrial five years' residence, we relieve them, if it is a case of necessity, but if they have *not* completed a five years' residence *we remove them;* but where they consent to go in one case, they refuse I should think in nine.

7120. Do you exercise *a discretion as to particular cases*, or do you send away all who cannot claim irremovability under the Five Years' Act?—Yes, that is the only relief which we afford them.

7121. You remove all?—*We remove all.*

* * * * * * * * *

7128. What is the course which you adopt with regard to the removals. Take the case of a pauper who applies, and whom you find to be removable; what is done with him?—He applies for relief; we first of all send him to the proper officer to have his examination taken.

7129. That is, an officer of the directors of the poor?—Yes, he is called the inspector for removals; he takes the examination, and if possible supports it by such evidence as the pauper can produce; if he finds *that the five years are not completed*, he puts him under an order of removal *as quickly as possible*. If the pauper has completed the five years residence, he then refers him back to me, with a certificate to that effect, for relief.

7130. If he has not completed the five years, and he becomes removeable, what is then done?—*We then remove him.*

* * * * * * * * *

7188. *Mr. Maguire.* I think you stated to the Chairman, that you have invariably removed where the party has not completed a five years' residence in your parish?—*Yes, if he has claimed relief.*

7189. Do you announce to them that you will send them to Ireland before you give them relief?—Yes; I give them the alternative.

7191. In case a person had been, say *ten years in London*, and yet had not lived five years in one parish, should you think it your duty to send that person to Ireland?—*I should.*

7192. You make no exception to your rule; that rule is *strict*?—*Certainly.*

7193. And it remains with the stipendiary magistrate, or with the magistrates, whether he or they will send that person or not?—*Precisely.*

7194. You are quite clear upon that?—*Yes.*

7195. Then *your orders are strict*, to remove *every person* who has not a legal claim upon the parish?—*Unless they are prevented by sickness.*

7196. But otherwise?—*Otherwise we should send them.*

7197 Mr. *Liddell.* Or great age or infirmity?—Or great age."

We have shown how the benefit of the Irremovable Act, or what may be popularly termed the Five Years' Act, has been denied the Irish in many parishes until a very recent period; and we shall now proceed to show how that act, if strictly administered, is far from being the Poor Man's Charter which some people have attempted to represent it. Mr. J. Evans, Assistant Overseer of Liverpool, is the witness examined, and illustrates the eminently uncertain nature of this so called protection—

"I have seen very many hard cases in which I have felt very much annoyed myself at having to perform my duty. In a particular case, where a man has resided in Toxteth Park, say for 15 years, he volunteers across the street to Liverpool, where he remains a short time, and in consequence of something or other becomes chargeable, he is then liable to be sent to Ireland. I think that is a great hardship upon him.

5355. Mr. *Maguire.*] Will you give the particulars of a case of that kind?—It was a case where a man had resided in Toxteth Park for a number of years, but left that district.

5356. How many years had he resided there?—I think 14 or 15; he came over across the street, and resided in Liverpool for a short time. Circumstances so happened as to render it necessary for him to apply for parochial relief, and he obtained it, *and he was sent down to me in the usual way to be sent to Ireland.* I thought that a very hard case, and I remonstrated and recommended that he should be relieved for a short time.

5357. Did he get relief?—He did; but if I had performed my duty strictly *I should have sent him over.*"

Mr. Cleaver, Clerk to the West Derby Union, is asked as to the value of extending the area of residence from the Parish to the Union, and throws further light upon the matter.—

"5980. *Chairman.*] You know a good many unions in this country, though yours perhaps is not one of them, where a great number of parishes combine?—Yes.

5981. Do you not know that in Lincolnshire there are some with 60 or 70?—Yes; and in Cheshire there are some, I believe, as high as 80.

5982. Would it not make a very considerable difference as to the liability of a poor man to removal, whether the union were the area of the residence to be looked to or the parish?—A very great difference, and in none more so than our own, because the townships in which there are most Irish in our own union are those immediately surrounding Liverpool, and each adjoining the other; *they go over the boundary without any apparent knowledge themselves that they are doing so;* therefore the difference would be very great between making a parochial boundary and a union boundary."

Let us turn to Glasgow, and learn from Mr. Adamson, Inspector of Poor, how readily and how unconsciously the Irish may put themselves beyond the pale of the law:—

"Then on the north side of the river are the city of Glasgow parish, and the parish of Barony; a portion of that also is beyond the limits of the Parliamentary borough, and there is a great deal of difficulty in working the Poor-law between the two parishes, Barony and Glasgow. The division between the two parishes was originally a burn, of a very zigzag course: that has been covered over, and built upon, *and none but the officials and scarcely some of them, know where the division is between the two parishes,* and parties repeatedly *fancy they have got a settle-*

ment in Glasgow when they have nothing of the kind; they have been living first on one side and then on the other of the boundary, and have *never got a settlement, though they may have been* 20 *years in Glasgow.* Perhaps a party at No. 10 in a street is in the city parish, and the next door is in the other parish; in fact it divides houses; one part of a room is in the Barony parish, and another part is in the city."

It must be remarked that there is this difference between Scotland and England—that a five years' continuous residence in any parish in Scotland gives a settlement, whereas it only gives a right of non-removability in England. But to the Irish poor it comes practically to the same thing, namely, that the settlement is as uncertain as the irremovability.

Sir John McNeill, Chairman of the Board of Supervision in Edinburgh, an office somewhat analogous to that of President of the Poor Law in England, or Chief Commissioner in Ireland, is examined as to the nature of a Scotch Settlement:—

"2958. Colonel *Blair.*] If a man resides two years, and then goes away for, say, one year, and comes back and resides the other two in the parish, will he lose his settlement?—He does not acquire a settlement unless he resides continuously for five years.

2959. I understand you to say that the way in which he loses his settlement is by a continuous non-residence of more than four years after having acquired a settlement?—He must reside one year of the next five in the parish, it matters not what one year.

2960. Mr. *Dunlop.*] And so if he becomes an object of relief at the end of four years, and a week's absence, he loses his settlement absolutely?—*He does.*

2961. You are aware that a good deal of difference of opinion existed on that point, and that it has only been settled by a construction of the Court, and the result is, *that a man loses a settlement within a shorter time than the law allows him to acquire a new one?*—It is so."

Whether the object were to get rid of the Irish, or to save the towns from the pressure consequent upon the attraction which they naturally offer to the poor, such as those who go about in search of employment, the law of Scotland was materially changed. Previous to the change, a three years' residence was sufficient to establish a settlement, whereas a five years' residence is now required, and, as has been seen, is at any moment liable to be forfeited. The precarious nature of the Scotch settlement as regards the Irish-born poor, the industrious poor, is emphatically put by Mr. James Frazer Gordon, Writer to the Signet, Edinburgh, a gentleman of

great intelligence, and to whose testimony it will be necessary to refer on a subsequent occasion, for a purpose of the very highest importance:—

"3897. Mr. *Maguire.*] So that in point of fact is it not almost impossible for an Irish-born person to establish such a settlement as would be a bar to removal?—*It is absolutely impossible to acquire what is a permanent right, it being liable to forfeiture all his lifetime;* it would never be acquired to the effect of entitling him to the benefit of irremovability in the event of his leaving the parish.

3898. Must not that act with peculiar hardship upon a class of persons who are migratory in their habits?—Yes, it must render it more difficult; they must reside for five years.

3899. They are in the constant habit of going from one part of Scotland to another, from parish to parish, in pursuit of employment?—Yes."

This migratory character of the Irish is thus referred to by Mr. Smythe, late Secretary to the Board of Supervision:—

"The fact, I believe, is that the Irish, from their being more migratory in their habits, *do less acquire a settlement by residence,* and are, therefore, *more likely to be removed;* but, upon the other hand, any hardship that arises from the rupture of what are called local ties does not exist as to them, because, from their very habits, they have not formed any local ties."

It must be obvious to any one who reflects for a moment, that Mr. Smythe is in error, when he says that the Irish do not form "local ties" in Scotland. Many of our countrymen have contracted marriage in that country; thousands have had children born there; vast numbers of them have formed ties which, though possibly not parochial, are yet strictly local; and the capability of procuring employment, alike constant and remunerative, establishes one of the strongest ties which a really industrious man can form in a country not his own by birth, and the rupture of which, by removal to a place where he cannot obtain employment of the kind to which he has been used, is nothing short of the greatest hardship, indeed the most terrible evil that can befal him. In another place we shall allude very fully to the value of Irish labour to both countries; but we are now shewing how difficult it is for the hard-working Irish-born labourer to obtain a settlement, and with what readiness he may lose it, if obtained. Mr. Smythe it is who replies:—

"3541. Mr. *Maguire.*] Does not that migratory habit on the part of the Irish tend to a very good result, the free circulation of labour?

—*It certainly does; wherever they hear of a job they are always ready to go,* and they very seldom remain in the same place; for I happened not long ago to put the question to a man who is a considerable contractor in my neighbourhood, and he told me that, one year with the other, he hardly ever employed the same people, although he employed a great number, for they went away either to other places, or some of them had gone away to America; that some whom he had employed last year had gone away to America."

There are certain ties which it is rather perilous to form, perilous to the modest Scotch damsel who listens to the seductive voice of the Irish wooer. The legal danger which a Scotch, or indeed an English woman, incurs in marrying an Irishman, is thus explained by Mr. W. S. Walker, Secretary to the Board of Supervision:—

"A Scotch woman marrying an Irishman, and residing with him in Scotland, would be treated as a part of his family; *she would be removable with him to Ireland,* the law declaring that you have no right to separate the parties. If her husband left her, and she became herself an object of parochial relief, her own settlement would avail her. I apprehend that that is the law."

We now approach a more painful part of our subject—the mode in which removals are carried into effect. The reader will have perceived that we have as yet refrained from relying, for the proof of anything which we put forward, upon the statement of a person removed, however well authenticated that statement might be. The volume of evidence before us abounds in statements of the kind, many of which are of the most touching and heart-rending nature. We freely admit that some of those statements have been disproved, but only in detail; and that the ignorance of the party making the complaint, of what was the law and what was not the law, what was a legal right and what was not a legal right, afforded in numerous instances a victory to the official defending himself from the charge urged against him or his parish, and enabled him to prove that the hardship and cruelty complained of were not inflicted in violation of the law, but in strict accordance with its merciful provisions. We have not relied, nor shall we rely, upon a single one of the numerous cases brought forward by the Irish witnesses, in order to establish our position—that the law of removal is unjust and impolitic, and that nothing short of its absolute repeal ought to satisfy those to whom the interests of the Irish poor are especially confided. We shall continue to give only such testimony as every

reader must acknowledge to be conclusive, whether given freely, or to a certain extent extorted in admission.

We come to the removal of the Irish pauper. Mr. J. Evans, Assistant Overseer, Liverpool, thus happily describes the facility with which the removal is effected. First, as to the party by whom, in most cases, the real decision as to the removal is come to :—

"5398. *Sir R. Ferguson.*] Who is it that decides whether a party shall be relieved or whether he shall be brought before the magistrates for removal?—*The relieving officer.*

5399. Do you know whether there is any record kept of the proceedings before the justices of the number of parties brought before them?—There is a record kept of the number of parties brought before them.

5400. And their decisions?—And their decisions; but there is scarcely an exception, unless it be such a case as I mentioned at the commencement. Parties brought before the magistrates *are almost invariably passed; scarcely ever a question arises.*"

Now as to the speed with which the removal is accomplished :—

"5292. *Chairman.*] Supposing an order of removal to have been made, will you describe what is the course of proceeding?—Supposing an order made, the party is taken down to the vessel.

5293. When?—*Sometimes in the course of half an hour after the order is made; immediately afterwards the party is put on board the vessel,* the officer taking a duplicate of the order to the captain.

5294. Who takes that to the vessel?—The removing officer takes a duplicate of the removing order to the captain. *He delivers the party up to the captain, and considers that he has done all that is necessary.*"

It has been a frequent subject of complaint with women and young girls, that they were borne off without the knowledge of members of their family, or their friends; and that they implored in vain for time to communicate with them, or to obtain some little property of which they had been possessed. It may be, as the parties discharging the cruel duty of removal allege, that these complaints are either unfounded or exaggerated; but after hearing the testimony of Mr. Evans, who states that a pauper is hurried on board a vessel in half an hour after the order is obtained, we may be pardoned if we hazard the expression of our belief, that many of such statements *must* be true.

At any rate, the pauper is got on board the vessel, no mat-

ter what the season, what the weather. The Justices are, no doubt, very humane, in ordering that the pauper shall be protected in winter months; but let us hear from Mr. Evans how effectually these suggestions—for they are only such—are carried out:—

"Although the justices have often ordered in *winter time* that the paupers should be sent under cover, they were frequently obliged *to be sent on deck (the only cover being the gangway, which does not shelter them from the sea and wind in rough weather)*, there being no proper place below. In the Dublin boats we are allowed to make use of the stables *when there are no horses;* but if horses are on board, they always occupy the stables. * * * * I may state that the same system continues, and we are as badly off as we have been all along, with the exception that on board certain boats there is accommodation (and I will give the names of the boats): to Dublin we are obliged to send on deck as heretofore; to Drogheda, when there is no cargo, they are allowed to go below, but when there is they cannot go below; to Dundalk, in one boat there is a steerage, in one boat there is not; to Cork it is the worst; there is no steerage at all; to Wexford there is none; to Belfast there is a good steerage, excepting in one boat; to Waterford there is a steerage; to Sligo there is a steerage; to Limerick, for about 20 persons only; to Londonderry and Glasgow there is good steerage."

The deck of a steamer in a winter gale is not the most delightful thing in the world; but there may be something less delightful—for instance, the deck, or even the hold, of a collier, a twelve days' voyage, a brutal captain, and starvation. Let us hear what Mr. Francis Devereux, Chairman of the Waterford Board of Guardians, says upon this point:—

"2566. *Chairman.*] From which part chiefly do they come to Waterford?—They come principally from Wales; from Newport and from Cardiff.

2567. Do many Bristol people come?—Not many; those coming from Bristol come by steamer; those coming from Wales come by colliers. They get the 1*s.* 8*d.* worth of bread as I have mentioned, and I have made inquiries in Waterford of some persons who are connected with those collier boats, and they tell me that it is not unusual when a collier puts out, if she meets with adverse wind of any kind, *to put back again to any port most convenient,* very generally *not the port she starts from,* so that there are sometimes *twelve or fourteen days from the time those people are put on board, with* 1*s.* 8*d. worth of food, till they are landed in Waterford.* Hays and her party were *twelve days out.* The vessel was bound for Cork; it was to Cork the order of removal was made; I examined them myself very particularly, and they all represented to me, and told the same story, that they were *without food for a couple of days.*

2568. Sir *G. Grey.*] Do you know that they were actually

brought to Waterford?—They were actually brought to Waterford, although bound to Cork; *they were without food for a couple of days; they were even without water;* and they said that *the captain was drunk the whole time,* and *treated them very badly.* He saw that he was running short of provisions himself, and seeing those people starving on board, he had the humanity to put them on shore at the nearest port of Ireland to him, and the first place he could put into was Waterford, and he landed them at Waterford. Three or four of them, I think, came into the Waterford poorhouse; the others of them, (I forget exactly the number, but there were a few others), found their way up the country to the county of Cork, of which they were natives."

A vast number of paupers are sent to Cork, from London, Liverpool, and Bristol, although the total number sent to Cork is much less than the number sent to Dublin from England, or perhaps to Belfast from Scotland. But as the passages from the English ports to Cork are of greater length, the sufferings of the miserable people sent to that port must be more terrible. The witness examined is Constable John Duross, an active and efficient member of the police force, whose duty it is, as he states, to be present at the arrival and departure of every Channel steamer. He is asked :—

"1227. *Mr. Maguire.*] What is the average passage made by the London steamer to Cork?—She leaves on Thursdays, and arrives on Sundays or Mondays, according to the weather and the tide.

1228. *Mr. Liddell.*] Where does she start from?—From London every Thursday morning, at 8 o'clock.

1229. *Mr. Maguire.*] In winter time, what is the average passage?—*Three days; sometimes four.*

1230. What is the average passage of a Bristol or a Liverpool vessel?—From 22 to 30 hours.

1231. Twenty-two Bristol, and about 30 hours Liverpool?—Yes; they have to wait often for 12 hours for a tide at Passage before they can come up to the quays at Cork.

1232. Passage is seven miles from Cork?—Yes.

1233. Do you find that a good many persons, whom we call paupers, are sent in the winter as well as in the summer months?—*I think there are more sent in the winter months.*"

Constable Duross is quite correct in his statement, that by far the greater number are sent from London, by the long sea passage, which is generally three days in duration, but sometimes *four*; for Mr. Rankley, who contracts for the transmission of a considerable portion of the human refuse of the London parishes, states that no less than *eleven hundred* were shipped off during last year to Cork. The witness is asked :—

"1244. Mr. *Maguire.*] In what condition do those people arrive in Cork generally?—*In a very pitiable condition.*

1245. Is there any protection for those people against the weather?—*None, unless tarpauling may be thrown over;* or if the ship is not full of cargo between decks, a portion of the between-decks may be cleared out for their being in during the night.

1246. Generally speaking, are those vessels full of goods?—Yes.

1247. And sometimes have they cattle on deck?—They have; and if there are not cattle on deck, there is some shelter in the horse-stalls between the paddle-boxes; but when there are horses, or cows, or sheep coming over, they are put in those horse-stalls. Very few boats arrive without gentlemen's horses on board, coming from Plymouth and London."

Let it be remarked that this witness speaks only to what came under his own observation, while in the discharge of his special duty; and that it is part of that duty to take a written note of any particular occurrence—in fact, to keep a kind of official diary. He is asked:—

"1257. Mr. *Maguire.*] Do you remember a woman named Julia Ryan being left in Cork about July 1851?—I do.

1258. Was that woman left destitute in the streets?—*She was out of her mind.*

1260. You are positive that that woman was *out of her mind,* and was left destitute in the streets of Cork?—*Yes.*"

Death from exposure is one of those casualties for which people must be prepared whose *only* protection from the horrors of a winter passage of four days and four nights duration is a scrap of tarpaulin, or the bulwark of a plunging steamer; and therefore there is nothing whatever out of the way in this little incident:—

"1262. Do you remember any case, in 1852, where death resulted from the severity of the weather?—I do.

1263. What was that?—A child, three years old, *died in the arms of its mother,* coming across from London.

1264. Did you see the body of that child?—I did. I had it brought to the bridewell, and acquainted the coroner with the circumstances, the child having died on the passage. It had been in bad health before it was sent with the mother from London. Under the circumstances, the coroner did not think it necessary to hold an inquest, and did not hold one.

1265. Did the mother complain of having been sent because the child was in that state?—She complained of having been sent over by the parish authorities.

1266. Do you know from what parish she was sent?—No."

We repeat, death from exposure is one of those casual-

ties to which the removed paupers must be ever liable; but we humbly submit there is one atrocity which might be spared the poor. We venture to think no relieving officer, overseer, clerk, guardian, or magistrate, would venture to allow his beloved wife to cross the Channel in a steamer, though luxuriously provided for as a first-class cabin passenger, if her condition happened to be peculiarly "interesting;" and how, therefore, the following case could have occurred in a country calling itself Christian, we are at a loss to conceive. There may be some question of the woman's statement as to the particular parish from which she was sent; but there can be none whatever as to what the Constable saw and did—

"1267. Do you remember any particular case, in the month of August 1852, of a woman coming by the 'Ajax' steamer?—Yes; a woman named Larey, a native of Tralee. She was very ill on the deck of the steamer. On making inquiries into her case, *she told me that she was in the pangs of labour. She was not able to move.* I had to employ a car, and get two men, along with myself, to carry her from the steamer to the car, and to the workhouse. *While removing her from the car to the workhouse she was confined of a baby.*

1268. Where was that woman from?—From Tralee, county Kerry; at least she stated to me that she was.

1269. You have no knowledge of the facts of any of those cases but from the statements of these people?—No; I think that, *under the circumstances*, and the *condition the woman was in, she would not tell a lie.*

1270. What parish was she sent from?—She was sent by the relieving officer of Fulham parish.

1271. Had she any means to go on to Tralee?—None, she stated.

1272. Were you justified in relying upon her statement?—I believe I was.

1273. Was there any person sent with her?—I am not aware.

1274. Did you find the woman *lying on the deck of the vessel?*—*I did.*

1275. And no person near her; —No person near her; *she was lying close by the funnel on the deck of the vessel.*

1276. Was the contractor or conductor near?—No.

1277. There was no one in charge of her; no one taking care of her?—I saw none, nor did I know that there was any. She stated to me that *she was taken from the car and put on board the steamer, and sent on.*

1278. Did she say that her confinement was premature?—I do not recollect."

That this was not a solitary case of suffering of a peculiar kind, let the following additional evidence of the same witness attest:—

"1279. Do you remember a case, about six weeks since, of a

woman left on the quays of Cork, who suffered from the severity of the weather; a woman that was paralysed?—Yes; she was very *miserably clad; she was completely paralysed;* she had been sent over from London, she stated to me; the sailors carried her out of the steamer, and left her on a truck on the quay; the passers by were greatly taken with her, and sympathised very much. I went and got a car and took her to the workhouse: *I had to get two men to assist me to the car; she was completely paralysed from the cold, and she appeared to be in labour;* I left her in the workhouse.

1280. Was she very far advanced in pregnancy?—She appeared to be very large,

1281. Where was that woman from?—From Kilmallock, in the county of Limerick.

1282. About 50 miles from Cork?—Yes."

Mr. Alfred Power, Chief Commissioner of Poor Laws in Ireland, thus refers to a couple of "casualties," which may at any time happen "under the natural operation of the law." The *natural* operation of the law!

"There was a case which, without going into the detail of it, I will mention, it having attracted a great deal of attention in September 1847, very early in the history of the present Act; it was a boy of the name of Michael Dygnan, who *died* on board the "Duchess of Kent" steamer, in transmission as a pauper from Rochdale. *Another man supposed to be a pauper,* but his history could never be made out, *died at the same time,* through partly, I believe, the great overcrowding of the vessel, combined with very inclement weather. The boy was only 12 years of age; he was *convalescent from fever,* and an inquiry was made about it, I think, by Mr. Austin. I am not aware that in that case there was any impropriety traceable to the authorities in England. I do not know what the result of the enquiry in England was. Of course, on the inquest held in Dublin, there was no account excepting of the sufferings of the boy. It was a very cruel case indeed in that respect, but I am not aware that any blame was thrown. There was great indignation of course in Dublin upon the subject, and blame was imputed by public voice to the removing authorities; but I think *this is one of those cases which may happen without default on the part of the authorities, under the natural operation of the law.*"

Scotch officials are, no doubt, an eminently correct and exemplary body of men, and never fall into the slightest error, such as that of mistaking an unhealthy for a healthy pauper; and we are bound to believe that if a parish doctor certifies, "on soul and conscience," that a pauper may be safely removed, he certifies what is really true. But if so, we are rather surprised to think that any necessity should exist for the improvement here suggested, and approved of by Mr. Smythe, who is the witness examined:—

"3337. *Chairman.*] Would you have a more minute examination by the latter (the medical officer of the Scotch parish) than is required of the Act of Parliament at present?—Yes; I think that the *terms* by the certificate might be altered *with some effect*, to show that the case *really* is one which may be safely removed.

3338. You are aware that at present the Act prescribes that there shall be a cetificate *on soul and conscience*, by a regular medical practitioner, setting forth that the health of such a person, his wife and children, is such as to admit of such removal?—Yes, to admit *without injury to his health*, I think, was the introduction which Sir John M'Neill proposed.

3339. And you concur in that?—I do."

In the petition presented by Mr. Davidson, on the part of the Belfast Guardians, there appears this passage—"That in Scotland, dispensary or hospital medical aid afforded to any pauper of Irish birth, or to any member of his family, is deemed to be relief, rendering such family instantly removeable to Ireland." If true, this allegation states what is very horrible and inhuman. We regret to say it is practically, though not formally, the fact. To the pauper, at least, the distinction is almost purely imaginary. Let the question of the truth or untruth of the assertion in the Belfast petition be judged of by the evidence of Mr. Walker :—

"4077. *Sir R. Ferguson.*] Does that statement in that petition fairly bear out the statement that any person going into the hospital is liable to be removed; is not the statement this, that every person sent by the parish to that hospital, which hospital is partly supported from the public funds, is thereby liable to be removed when a part of the expense is paid by the public?—The statement in the petition is very general.

4093. A person under those circumstances, being an Irish pauper, having met with an accident, would not be removeable?—Not unless he becomes chargeable to the parish.

4094. Would he, in that case, become chargeable to the parish, being removed there in consequence of an accident, and not having the means of paying for himself?—*Not unless placed there by the parochial authorities*, or afterwards his residence being continued there by the parochial authorities.

4095. So that, in fact, a man cannot become removeable without the direct authority or action of the parochial parties?—No, I apprehend not.

4096. *Mr. Maguire.*] But he is liable to be removed, although the subscription paid by the parish authorities to that hospital is an annual one?—*If he is sent to the hospital by the parish*, and the hospital has contracted with the parish for an annual sum, of course he is included among the parties who receive benefit from it.

* * * * * * * * *

4178. *Mr. Maguire.*] Is a pauper's settlement liable to be broken

during the five weeks, if sent by the parish authorities to the hospital?—*If a person is admitted by an order of the parochial Board;* but in this case the person was not so admitted.

4179. Would a pauper's settlement be broken during the five weeks, if the pauper did not continue in the Lock Hospital longer than the five weeks?—*Clearly, if the parish subscribed on that condition, and had applied for the admission of the party.*

4180. *Chairman.*] But only in that case?—Only in that case.

4181. *Mr. Dunlop.*] You say the settlement would be broken; you mean that there would be an interruption of the residence?—Yes."

Mr. Adamson, of Glasgow, observes the most scrupulous delicacy towards the sick; but it may be supposed that if a physician who certifies "on soul and conscience" as to the removeable condition of a poor person who is guilty of the sin of being chargeable to a Scotch parish, is liable to err, it is just barely possible that an unprofessional gentleman of Mr. Adamson's order may mistake troublesomeness for rude health. He is asked:—

"4578. *Mr. A. Hastie.*] In fact, you follow the practice, if they really are sick, to relieve them, and at the same time never remove them?—We never remove unless after sickness, *when we think that they are well and ought to work;* if they refuse to do that, or become *troublesome,* we *then enforce the law of removal;* but we never remove them because they have been on our book on account of sickness, as we think that that is a thing which they cannot help."

The following extract from the evidence of Mr. Salter, Relieving Officer at Newport, thows some light on the practice in that and in other localities:—

"6901. *Mr. Maguire.*] When a person applies for medical relief and goes into the hospital of the workhouse in order to obtain it, is it lawful to send that person over to Ireland?—Not till he is quite well; certainly not while he is ill.

6902. Suppose he is quite well; suppose a person is destitute, through sickness, and applies for medical relief, and goes into the hospital of the workhouse, is it lawful to send that person to Ireland when recovered?—No.

6903. Was not that the case with Mary Heas?—No.

6904. Did you not say that she went into the hospital *in an emaciated condition*?—*Yes.*

6905. She went in sick?—*Yes.*

6906. Did you not send her over when she was well?—*Yes.*

6907. Was that legal?—Yes, I consider so; she must have been taken off the common fund of the union, which would administer relief to her in her temporary ailment; this temporary ailment having ceased, there was no other mode of administering relief to her but from the parish in which she was residing.

6908. Did she not go in as a sick person?—Yes, and she came out as a well person.

6909. Was not it illegal to send a person who merely applied for medical relief to Ireland?—Certainly.

6910. Is not that what you did?—No, she was well when we sent her.

6911. Was not she sick when she went in?—Yes.

6912. *Mr. Dunlop.*] The chargeability was after she came out?—Yes."

There are various kinds of voluntaryism. People join religious bodies of their free will; they pay their minister of their free will; they do this, that, or the other thing, of their free will. But there is one kind of voluntaryism respecting the exact character of which men have been found to hold diverse opinions. The highwayman who receives a purse from a traveller may say that it was given to him by the traveller's own hand, while the traveller may admit that he did give it, but it was to save his life. Of this latter description are the majority of the removals from Scotland. The thing is done in the most amicable manner possible. If a suggestion will do it, a request is not used. In this agreeable manner the parochial authorities of Scotland got rid of 41,735 Irish-born paupers in eight years—from 1846 to 1853 included. The number of removals by warrant—to which the authorities were reluctantly driven—was 5,087—making a gross total of 46,822. One worthy official congratulates himself upon the fact that he never had necessity to procure more than one or two warrants in as many years. Simple soul! did he not know that the traveller saw the pistol in the other hand?

Mr. Walker, Secretary to the Board of Supervision, is asked:—

"4294. *Mr. Maguire.*] Will you have the kindness to explain distinctly what are *voluntary removals;* in what manner they are effected?—There is a difference of practice, I believe. The statute provides no particular mode in which they are to be effected. The Board of Supervision requires that there shall be a medical certificate obtained. In some cases, I believe the money is handed to the paupers, where they think they can trust him; in other cases they are seen on board a vessel, and the money paid.

4295. In case the pauper does not consent to go of his own accord, he is compelled to go, is he not?—Then it becomes a matter of inquiry before the justices.

4296. So that those voluntary removals do not always represent free will upon the part of the person removed?—*Not altogether.* I believe that a great number of the cases removed to Ireland are

actually cases where the parties come to the parochial authorities and ask for nothing else but to be transmitted; and they wish, for their subsistence, to go over to Ireland; *but of course there are a large number of parties who know very well that if they do not go willingly, they will be made to go.*

4297. But it is the fact that many persons are anxious to get back to Ireland?—I believe that there are such cases. I think it is stated in some of those papers which I have read to-day."

But Mr. Adamson, who has more practical experience as to exact character and complete efficacy of the "amicable" mode of arrangement, is a little more clear—

"4484. *Mr. Baines.*] You said the other day that no warrant for the removal of any pauper had been taken out by the city parish for the last two years?—I did.

4485. In what way then have removals been made during the last two years?—By *voluntary arrangement with the paupers themselves.*

4486. Under your Act of Parliament?—Under the Act of Parliament.

4487. What is the nature of that arrangement?—When we think that they are parties who ought not to be chargeable, and they have been there a considerable time, and are not likely to get off our books, we represent to them that we cannot burthen the city of Glasgow with them any longer; that they have not got a settlement there, and that we must remove them to their own country; that we are willihg to do it *by amicable arrangement*, but if not, *we must go before the magistrates and abide by their decision;* and we give them the choice of the time when they go; we do not hold them to a few days; we let them make their own arrangements; and I have been able to do it *satisfactorily* for the last two years."

The value of the "voluntary" system may be more thoroughly perceived by the following replies, by which it will be understood that all knotty questions of settlement are as effectually got rid of as the pauper, and the risk of an appeal to the magistrate entirely obviated. It is Mr. Adamson who still speaks.—

"4652. *Mr. Maguire.*] You left me under the impression the other day, that what is called voluntary removal might really be described as compulsory removal, because if the parties do not remove voluntarily, you enforce the law against them?—*They could force me to an order at once*, but they rarely do so.

4653. Would it be a difficult thing to get an order?—Yes.

4654. Would it be a difficult thing to get an order, where a person had no settlement?—*I have had orders refused where they have had no settlement, and where the case has been as clear as could be.*

4655. I am putting the question generally. I know that some humane judges may have taken a liberal view of the law; but generally speaking, where a case of non-settlement is clearly

established, and the party becomes a burthen, is not the decision in that case easily anticipated?—*Yes; generally speaking, we should get an order.*

4656. So that you may really call this voluntary removal, in many cases at least, a compulsory removal?—They are not very reluctant to go. I do not think that there have been half a dozen cases where they have manifested any reluctance to go."

It is said that the Irish have no right to complain, inasmuch as the Englishman and the Scotchman are amenable to the same law, and just as liable to be removed on becoming chargeable. But is this so practically? we think we can shew it is not. Even if the law were administered with the strictest partiality in both cases, it should of necessity press with far greater severity upon the Irish, and for two reasons,—in the first place, the English pauper in England, or the Scotch pauper in Scotland, against whom an order of removal is had, is not always sent to the parish of his settlement, but is frequently relieved during his distress, and the cost of his maintenance charged to the parish of his settlement; whereas the order of removal is almost invariably carried out in the case of the Irish pauper, and in no instance is he, indeed can he be, charged to an Irish union, there being no law of settlement in this country, and therefore no union to which he could be lawfully charged,—and in the second place, because if the order be carried out with equal rigour in both cases, removal from one parish to another in England bears no comparison whatever to removal from an English parish to an Irish port.

Let us have the testimony of a witness or two upon this interesting point. Mr. J. F. Gordon, Writer to the Signet, Edinburgh, is asked:—

"3603. Mr. *Archibald Hastie*] Is not the *same* law applicable to native-born Scotch as to Irish?—Yes, but in the case of native Scotch *the hardship is not felt so much, and scarcely at all,* because in Scotland, destitution forming a ground for applying for and receiving parish aid, it is the *custom* of the parochial boards to *relieve the case on the spot,* and then *to charge the sums given to the poor person against the parish of the settlement;* they do not require to apply for an order of removal. * * * * *

3610. Mr. *Maguire.*] In point of fact, the application of the law differently affects the native from the Irish poor?—Very much in point of fact, for the reason which I have stated.

3611. I believe removals of persons are very rare from parish to parish?—*Comparatively very rare.*

3612. They settle it rather by a balance of accounts than by send-

ing the individual to the parish?—Yes; it is a more *economical* course, as well as a *more humane one.*"

Mr. Adamson, Inspector of the Poor, Glasgow, corroborates Mr. Gordon:—

"4423. Mr. *Maguire.*] You said that you can remove a Scotch pauper; practically speaking, is a Scotch pauper removed from parish to parish?—Yes; at least *we get an order either to remove him to his own parish, or to administer relief to him, and his own parish pay us.*

4424. Practically, what do you do?—We do both; if it is a worthy person, one who is really considered an object of parochial relief, the practice is to give an order to relieve him *where he is.*

4425. Generally speaking, that is the practice?—Yes; but where there is a doubt of his being a proper object, the order is to remove him.

4426. Generally speaking, all through Scotland is it not the practice to relieve the party, and charge the expense of his relief to the parish in which he is settled?—No, it is both ways to a large extent; I think we do about as much one way as the other."

Mr. W. Chambers, of the West London Union, is asked:—

"7046. Does it ever happen that you charge the maintenance of a pauper on the parish to which the pauper belongs, and allow him to remain in your own?—Yes, there are cases of the sort.

7047. *Chairman.*] Non-resident relief?—Non-resident relief, which results from a correspondence with the authorities of the place to which the removal is directed to be made; they acquiesce; *it is an act of humanity.*"

Mr. Cleaver, of the West Derby Union, is examined:—

"5916. Mr. *Maguire.*] In case of an English pauper being chargeable to your parish, who has not obtained a settlement, or lived there long enough to effect a bar to removal, how do you deal with him; do you remove him?—Certainly.

5917. Do you remove him in all cases?—In all cases.

5918. Does it never happen that you charge his expenses to another union, and allow him to remain?—We have in the present year *a great many* that we call non-settled paupers, *whom we relieve in our own union, and obtain repayment from other unions.*

5919. Is that a common practice?—*It has been.*

5920. Do you find it more convenient?—*We find it a greater relief to the poor.*

5921. It does not entail the same amount of hardship upon the pauper?—*Certainly not.*"

When the English pauper is sent to the parish of his settlement, he is somewhat differently treated from the "mere Irish," as may be seen by the statement of Mr. Chambers:—

"6989. *Chairman.*] The English pauper, I believe, is taken under the authority of some responsible officer to the workhouse of the union to which he is to be removed?—Or to an overseer.

6990. He is taken by an accredited officer, and delivered to an accredited officer?—*Just so;* and with this addition, that the officer to whom the order is directed *is required to maintain that person, and to provide for him; but there is no such thing with regard to the Irish.*

6991. So that the English pauper is *never lost sight of* by one officer or the other?—*He is never lost sight of.*"

The parish removing the Englishman is obliged by law to furnish the parish of his settlement with copies of the depositions, and all such particulars as may enable it to resist the removal, if necessary. Mr. Lumley, Secretary to the Poor Law Board, gives rather a striking picture of the unceremonious nature of the Irish removals:—

"But with regard to the Irish and the Scotch, there is no intimation conveyed in the slightest degree to the authorities that the paupers *are coming*, or that they *are to be expected*, and consequently, *they are oftentimes left on the coast without being provided for or known, or any information being supplied to the guardians;* the guardians have *no copies of the warrant*, and they have *no information upon the subject.* Therefore I think that something by way of amendment is necessary, requiring the parties who obtain the warrant in England immediately to send a copy of it, for there is no practical difficulty in doing so by post, to the guardians of the place where the party is to be sent; whether it should be to the place of his birth or to the port at which he is landed, I will not say, but information ought to be communicated, and a reasonable time allowed before the pauper is obliged to be sent."

Mr. J. Rankley, contractor for removing paupers from London to Ireland, gives the reader a sufficient idea of the fate of the order of removal:—

"7752. *Chairman.*] What becomes of the order of removal in that case?—We generally give it to the captain, and he takes it with him to Dublin, and then it is reposted, bearing the Dublin post-mark, or wherever it may be, with the signature, that the people were landed safely at Dublin, or whatever port it may be.

7753. In the case of Cork paupers, what becomes of the order of removal when the pauper himself arrives at Cork?—It is generally brought back *and kept by me.*"

The English pauper, according to the authority of Mr. Chambers, is "*never lost sight of,*" and is *maintained and provided for*, until handed over to the authorities of his own parish. We are not about to ask any one of the sea-drenched wretches who lie prostrate on the deck of an Irish steamer, or

who excite the pity and indignation of our public, as, in the streets of our sea-ports, they present an appearance of heart-rending misery, how they were provided for by the authorities by whom they were removed; for though the tale were told by famished lips, nay the lips of the dying, it would be only the story of "an Irish pauper"—and the Irish so little adhere to the truth, says the liberal-minded English overseer! We shall hear Mr. Evans, the respectable Liverpool official, as to the provision made by his excellent Board for the Irish outcast:—

"5409. *Mr. Maguire.*] When the pauper is put on board the vessel, and his passage provided for him, your authorities think they have done all that they ought to do?—I am not prepared to say that they think they have done all that they ought to do. I think myself they have not done all, but that something more ought to be done in Dublin.

5410. *Chairman.*] But under the law, as it stands?—*Yes.*

5411. *Mr. Maguire.*] That is all they do?—*That is all the law requires; and that is all we do,* except in particular cases.

5412. What are the particnlar cases?—Suppose a person has a long distance to go, from Waterford, for instance; however I had better state *as a rule,* that we consider if we send them to the port nearest the place where they were born or have resided, *we do all that the law requires; that is the rule.*

5414. In case you have to send a pauper to a distant part of the county of Cork, do you make any provision for that pauper in the way of sending him there?—*We do not make any.*

5415. Do you know anything of the extent of the county of Cork?—I do not.

5416. If a pauper happened to live 80 or 100 miles from the port which was nearest to that of his or her birth, would you make any provision for that case, in order that that pauper might be able to reach the place of his or her birth?—*It is not usual to make any provision.*

5417. Where would you send a county of Limerick pauper, for instance?—To Cork, if it were his wish, but to Limerick if there were a boat; but, generally speaking, those from Limerick do not like going in the Limerick boat; they prefer going to Cork.

5418. Because it is a very long passage to Limerick?—A very long and a very troublesome one; I send less to Limerick than to any other port.

5419. To what port do you send a Kerry pauper?—Cork.

5420. To what port do you send a Clare pauper?—Cork, generally.

5421. To what port do you send a Tipperary pauper?—To Waterford.

5422. In all cases?—Unless they wish to go to another.

5423. I believe you are aware that Kerry is a considerable distance from Cork?—*I am quite aware of it.*

5424. That portions of it are as many as 120 or 130 miles from Cork?—*Yes.*

5425. In case you have to send over a Kerry pauper, do you make any provision in order to enable that person to go to his or her birthplace?—*It is not usual to do so.*"

Mr. James Rankley, the London pass-master, gives a vivid notion of the sense of responsibility under which Irish paupers are passed :—

"7795. You say that *when you have landed them in Cork*, you consider that *you have done with them?—Yes.*

7796. And it is in a very rare and particular case that a person is sent further?—*It is only when something is the matter with them.*"

As the Liverpool Board is, to say the least, as humane as most others, it is unnecessary to inquire further on this point. But perhaps the following table, handed in by the Rev. Mr. Campbell, its intelligent Chairman, will best afford an idea of the liberality of the provision made for the transmission and maintenance of the poor whom they, of course most reluctantly, ship off to the port nearest their place of birth. It will also shew how little the law of removal affects the Scotch poor, and how terribly the Irish :—

NUMBER of PAUPERS passed from Liverpool to *Ireland, Scotland, Isle of Man, and Guernsey,* from 26th December, 1845, to 25th December, 1853, with the Expense.

	TOTAL Passed.	Ireland.	Scotland.	Isle of Man.	Guernsey.	TOTAL COST.
						£ s. d.
26 Dec. 1845 to 25 Dec. 1846	5,649	5,313	330	6	—	1,197 1 6
26 Dec. 1846 to 25 Dec. 1847	15,472	15,008	443	21	—	4,175 11 3
26 Dec. 1847 to 25 Dec. 1848	8,239	7,607	612	20	—	2,459 8 6
26 Dec. 1848 to 25 Dec. 1849	10,071	9,509	543	19	—	2,563 2 10
26 Dec. 1849 to 25 Dec. 1850	8,102	7,627	463	12	—	1,467 15 6
26 Dec. 1850 to 25 Dec. 1851	8,232	7,808	406	13	5	1,968 19 10
26 Dec. 1851 to 25 Dec. 1852	6,004	5,506	483	9	6	1,460 2 6
26 Dec. 1852 to 25 Dec. 1853	4,820	4,053	302	13	2	1,124 13 6

Take the last return, from December 1852 to December 1853, namely 4,503 passed to Ireland at an expense of £1,124, which will give the cost of each removal at something as near as possible to 5s. a head; and considering that the passage money has to be taken out of this sum, it will be apparent that a very large balance must remain for the maintenance of the pauper, not only during the passage, but while making his or her way from the port nearest to the place of birth, to the place of birth itself. A word or two as to the number removed.

It is rather difficult to get at the exact number removed from England in the year; for when the last return was ordered, it was openly stated to be imperfect, more than fifty parishes having sent in no statement whatever. In these returns it was acknowledged that 4,800 had been "passed" during 1853, by the parishes sending in returns. If we take the following bit of evidence given by Mr. Rankley, it will be seen that that gentleman himself, together with Mr. Gill and Mr. Frost, "passed" about 1,400 paupers from London in that year; so that if we take this 1,400 from London, and the 4,500 from Liverpool, we shall have a total of 5,900 "passed" in a single year from *two* English ports.

"7797. *Mr. Maguire.*] Could you give me any idea of what number of the 900 you sent to Cork?—I should think at least 700, if not more.

7798. Are you in a position to say what number the other persons, who were engaged in the shipping of paupers, have sent to Ireland?—When do you mean?

7799. Say last year, including Mr. Gill and Mr. Frost, the gentlemen of whom you spoke?—Five hundred the two; Mr. Gill sent very few indeed; I should say that Mr. Frost sent 400 at least, and that Mr. Gill hardly sent 100 last year.

7800. How many of those 500 were sent to Cork? I should say a good 400 of them.

7801. Then 1,100 have altogether been sent last year to Cork from London?—*Yes, quite that.*"

The average number "passed" from Scotland during the last eight years, from 1846 to 1853, is stated by Sir John M'Neill to be 5,852; and Sir John takes a favourable occasion to compliment the Scotch parishes upon their "forbearance," in not sending away a greater number; for he says, that while the whole number removable was 17,622, the number removed only amounted to 5,852, thus shewing that they mercifully limited the actual removals to one in three. The average number of English removed during the same period was but 425, being 61 by warrant, and 364 by "amicable" arrangement.

Dr. M'Gee, late Mayor of Belfast, and a witness of great intelligence, naturally regards that law as odious which renders any industrious person who has been once removed, and who returns to Scotland, and again, from any cause—accident or fluctuation of trade—applies for relief, liable to the severest and most degrading penalties. Dr. M'Gee is asked—

"2644. Sir *R. Ferguson.*] Upon what ground do you propose to say, that the present laws of settlement and removal are very objectionable?

They prevent the poor man from taking his labour to the best market. The law as regards Scotland is especially objectionable, for if any person be removed under a removal order, against which order it must be remembered there is *no appeal*, should he *return* and become *again* chargeable in the same parish or combination, in Scotland, he is liable to be punished under a particular provision in the Scotch Act, section 79, which recites that under the provisions of an Act of the Scottish Parliament of 1579, *he is liable to be punished as a vagabond, by imprisonment for any term not exceeding two months.*"

But Dr. M'Gee, while perfectly accurate in his description of the mode in which the Scotch law operates against those who return to the parish whence they were removed, errs in attributing any special or peculiar severity to it more than to the English law; for the reader may remember how the explanation given by Mr. Baines, on the occasion of the introduction of his bill, exactly tallies with the above. The Englishman who returns to a parish from which he has been removed, and again applies for relief is, says Mr. Baines, "liable to be treated under the vagrant act *as a vagrant*, and might be sent to gaol *and kept to hard labour*, as an idle and disorderly person." And in the same manner might any member of the 5,900 Irish poor who were shipped to Ireland from *two* English ports in a single year, be treated if, venturing back to the country in which they could find the readiest and most remumerative employment for their industry, they again fell into the clutches of a "relieving" officer.

That the law of removal operates unjustly against Ireland there cannot be any doubt whatever; for what greater injustice could be inflicted upon any country, more especially a poor country, than the flinging back annually on its shores several thousands of destitute people, to add to its poverty, and swell the ranks of the least useful and most helpless portion of its population? But if it be a wrong to the country generally, what must it not be to the eight ports into which the entire bulk of this human refuse, this mass of rags and want and misery is annually flung by the parishes of England and Scotland. We look in vain to the returns of removed paupers chargeable to the unions to which these eight ports belong, to form any adequate idea of the injury which they suffer through the operation of this monstrous and unnatural law. By a return presented to Parliament, it appears that there were, 1,240 of the removed poor actually inmates of those workpouses, and of course chargeable to unions already heavily hressed by their own poor, as well as by the consequences of a

fearful national calamity. The greatest sufferer of all is the North Dublin Union, which is burdened with nearly half of the entire number; and with that union, as with all others, the miserable creatures who find an asylum within the walls of its workhouse, have had no previous connection whatever with the union or the locality. Mr. Lindsay states, in his evidence, that 584 were received into the workhouse of this union for the year ending March 1854; and of this large number, "not more then 31 were born in the North Dublin Union; the others came from all parts of the country, some from Cork." The South Dublin Union, Belfast, Derry, Cork, Waterford, and Limerick, are not so severely burdened as this particular union; but they each have their full share of the advantages of the law, not so much in the actual burden upon their rates, as in the pressure on their resources caused by the influx of so much poverty and wretchedness, a considerable portion of which is certain to remain, and settle down in those quarters to which destitution almost instinctively directs its steps. The number chargeable to the Belfast Union for the year was 171.

That vast numbers of Irish have been *illegally* removed, few who remember the evidence which we have already given, can entertain the shadow of a doubt. Consider the helpless condition of the class removed, their ignorance of their legal rights, the confusion into which they are thrown, the matter-of-course nature of the proceedings before the magistrates, the facility with which "county magistrates" are had recourse to, and the readiness with which these gentlemen disentangle points of law, also the very general denial of the protection of the Five Years' Act to the Irish,—consider all these; and who, we ask, save an English or a Scotch official, can venture to say that there have not been the grossest abuses practised on the Irish poor, as well as upon the Irish unions?

Oh! but if so, Irish unions have the power of redressing themselves—they can "appeal" against an order of removal—the 6th section of the 8th and 9th Vic. cap. 117, being conclusive upon this point. Let us test the value of this means of redress by practical illustration. It is Mr. Lindsay, Chairman of the North Dublin Union, to whose testimony we first refer :—

"1622. *Chairman.*] You have mentioned one kind of illegality which you think you have perceived in some of these cases; what other illegalities have you been made aware of, judging from the

statements of the paupers ?—There was a case of illegality of removal from York, and the guardians asked me to sift that case. We first of all made a communication to the Poor-law Board in London, and they considered the case a proper case to be further investigated; we then went through the usual form of lodging £100 towards any expenses that might arise out of that prosecution, and placed the case in the hands of very respectable solicitors in York. I thought that I perceived that there was *an unwillingness in York to go on with this case quite as rapidly as it ought to have been gone on with*, and there was also *a little delay* on the part of the Poor-law Board in London. I do not mean to impute any improper motive to them; *but the result was*, that what with one delay or another it certainly appeared to me that the people in York took care to push off the case; that they took care that *the notices were not given quite in sufficient time*; in short, it left the impression upon my mind that there was *very little use indeed in an Irish Board of Guardians proceeding by law for redress.*"

Mr. O'Shaughnessy, Clerk to the Cork Guardians, very clearly expresses the feeling of the Cork Board as to the value of the power of appeal.—

"868. Mr. *Maguire.*] Have your Board of Guardians communicated with the Commissioners in every case of alleged grievance?—*Not in a tenth part of the number of cases.*

869. Could you state to the Committee the reason why the Board of Guardians of the Cork Union have not communicated with the Commissioners in Dublin on all those cases?—In some instances it was ascertained that the case of the removal was a perfectly legal case, and of course there was no redress to the Cork Board of Guardians. In other instances, and these were few, it was found that the removal was not legal, but that the process of redress would be so expensive that the Board of Guardians did not at all wish to undertake it.

870. In point of fact, have the Cork Board of Guardians ever prosecuted an appeal against any parish or union in England?—*Never.*

871. Have you within a late period given up the practice of communicating with the Poor Law Commissioners?—*Yes, the Guardians have.*

872. What was the reason for the non-continuance of their representations?—The reason which I have stated, *that they led to no practical result; the paupers still remained chargeable, whether the removal was a legal or an illegal removal.*

873. Of course you knew that you could have no redress in the case of a legal transmission of a pauper; that was quite clear?—Yes.

875. In those cases where there had been an illegal transmission of paupers, what steps did the Commissioners in Dublin advise you to take?—After the correspondence had concluded, and the Commissioners found that the case was one of illegal removal which occurred in one particular case, they then directed proceedings to be

taken in the English courts, under the sanction of the Poor Law Board, against the parish that transmitted the person. The Guardians, however, conceived that that would involve a very large expense and considerable inconvenience to the Irish Union, and they declined entering upon that course."

Mr. Crawford, Poor Law Inspector, thus indicates the existence of a feeling which, taking every circumstance into consideration, is not altogether unnatural.—

"1961. Mr. *Maguire.*] Do you know from what reason the guardians in Ireland declined to proceed when the appeal was offered to them by the Poor-law Board in England ?—I think there is *a general feeling of distrust* in the Irish Boards of Guardians as to the tribunal *being altogether an English tribunal,* before which any question of this kind can be tried."

The Earl of Donoughmore mentions a case in point, in reference to which his Lordship, to our mind, exhibited great common sense.—

"Lord Courtenay also insisted upon our lodging £100 in his hands of the rates of our union, as a guarantee for the expenses of the prosecution. The members of the Board of Guardians were at first disposed to submit even to these terms, but they took my advice, which I urged upon them strongly, that I thought *if they paid their* £100, *it was very unlikely that they would ever see any of it again;* and that the *very constitution of the tribunal* to which they were to appeal, would render *success very doubtful*, inasmuch as if any prejudice should exist, it was natural that the sympathies and prejudices of the parties at the Surrey sessions, who would have to decide the appeal, would be entirely in favour of the parish of Lambeth, and against the Irish union of Clogheen."

Mr. Power, Chief Commissioner of Poor Laws in Ireland, thus describes a very formidable obstacle lying in the path of an Irish Board in search of redress :—

"Their view of the case is, that they (the English Law Board) ought to be nominal parties only, and that the aggrieved Board of Guardians in Ireland should in fact virtually be the litigant parties, and have *an agent in England* to conduct the appeal directly, to procure them information (for that is the great point they want) to conduct the appeal. That we find is impracticable, of course ; in the first place we took very high legal advice upon the question whether *those expenses* could be charged upon the poor rates in Ireland, and we were answered in the negative. * * * * *

The appeal would be conducted in the name of the Poor Law Board, and if the matter went to trial all expenses incurred after the institution of the proceedings would be payable out of the deposit made by the aggrieved Board of Guardians in Ireland. We found that

if *inquiry* were made previously, *and agency expenses incurred*, and no proceeding took place, or even if proceedings did take place by the authority of the Poor Law Board afterwards, *that description of expense which was preliminary to the proceeding could not be charged upon the poor rates in Ireland.*"

When it is understood that the right of sanctioning or not sanctioning an appeal lies exclusively with the English Poor Law Board, and that the tribunal before which the case is to be tried is necessarily English, the result, as stated by Mr. Lumley, Secretary to the Poor Law Board, is not much to be wondered at—

"276. Mr. *Maguire.*] By the 6th section of the 8th & 9th Victoria, the English Poor-law Commissioners, who were then acting for both countries, have the power of sanctioning or not sanctioning an appeal by Irish guardians?—Yes.

277. In point of fact, has there been any appeal during the time that they have had the power of sanctioning it or not?—*Only one.*

278. How does the law stand now; is it the Irish Poor-law Commissioners who have the power of sanctioning it?—*No, the English.*"

We may add that that solitary appeal was equally unsuccessful as singular.

Turning to Scotland, we shall see how careful the law is of the right of the removed pauper and the injured union. Were not the whole subject with which we have to deal one almost of life and death to thousands of our fellow countrymen, we should be tempted to laugh at the bare-faced absurdity, the dismal comicality, of the following—

"4126. *Chairman.*] I understand from Dr. M'Gee's evidence, that he stated that there was no mode of appeal from an order of removal on a Scotch removal to Ireland; he states that in answers to Question 2,264 and in answer to Question 2,884 he repeats it. That, so far as the Scotch law is concerned, I apprehend is a mistake; I am not aware of any impediment in the Scotch law to a parish or party obtaining redress, if an order of removal has been improperly procured.

4127. What is the remedy which the Scotch law affords?—The warrant would be *liable to reduction* if executed.

4128. Will you explain the term "reduction;" that, I believe, is a Scottish term?—It would be cancelled; it would be declared invalid from the commencement.

4129. Mr. *Dunlop.*] Would not the process be by *suspension before execution?*—Before execution the process would be suspension, which is that an injunction would be obtained (that is the English term I think) against the execution of the warrant.

4130. *Chairman.*] From what court would that issue? From the Court of Session. Then, if a pauper had been improperly removed,

an action at law would lie for injury sustained. In the case of the man himself, HE *would have an action of damages for having been improperly removed*, and, in the case of the union in Ireland who were burthened with him, they would have an action to be relieved from the burthen unjustly imposed upon them.

4131. Sir *R. Ferguson.*] Supposing that the Irish law stood, that the union would have no power to use their funds in bringing that action, would not such a remedy be virtually nugatory?—I have heard it stated that the Irish Union have not the power so to expend their funds; but my object is to explain that the impediments do not arise from the existing law in Scotland.

4132. Is there any appeal to the Board of Supervision in Scotland as to the order to remove any individual?—There is not at present.

4133. Mr. *Maguire.*] You speak of suspension before execution, what do you mean by that; do you mean that there is *notice* given to the Irish Union that a pauper is about to be removed from a parish in Scotland to that union?—*No.*

4134. Then of what practical value is that power of suspension before removal?—*I do not think it is of much practical value; it is only open, of course,* TO THE PAUPER HIMSELF.

4135. *Chairman.*] Did you ever hear of a case of its being resorted to?—*No.*"

With this explanation of the Scotch law of appeal before the reader, the conclusion come to by Mr. Walker, Secretary to the Board of Supervision, is not a little amusing:—

"4245. Mr. *Maguire.*] Do you wish to make this impression upon the Committee, that the law has worked so admirably that there have been very few cases of complaint?—As I said before to the Honourable Member, I will state my opinion if I am asked to do so.

4246. Will you please to give an answer to the question which I have put to you? What deduction do you wish to draw from the fact of the fewness of those cases which have been officially investigated by the authorities in Scotland, in consequence of communications or complaints from the authorities in Ireland?—I should infer from the fact of 18 cases only having been brought under the notice of the Board of Supervision in the course of eight years, during which upwards of 46.000 removals have taken place, that the idea of continual and frequent hardship and illegality taking place has been very much exaggerated. I should have thought that if such constant hardship and illegality took place, the result would certainly have been that the Irish Poor-law authorities would have made the Board of Supervision acquainted with a greater number of cases."

Women and children become an easy and unresisting prey to removing parishes. If the husband leave the parish in search of employment, and in the hope of sending money to his family, it is quite probable that on his return he may search for them in vain, and eventually learn that they have been "passed" to Ireland, he having "deserted" them. Then

again, if the husband really desert his wife or children, the remedy is simple—they are removed. It is much more safe and economical than prosecuting the husband; and why should not a conscientious board protect the interests of its rate-payers? Hear Mr. Cleaver, of the West Derby Union, on this point:—

"5847, Mr. *Ball.*] With reference to the cases of desertion, can you state whether the parochial authorities in your union or in the neighbourhood make any exertions to enforce the law against a husband who deserts his wife and children?—Very seldom, unless we know with certainty where he can be found; then a warrant would be granted, and the man would be apprehended.

5848. There is an apprehension entertained as to the expense probably of proceedings against husbands for desertion?—*Yes, sometimes; and especially when the mode of removing the families can be adopted with much greater facility.*

5849. You prefer the removal of the family to the prosecution of the husband, *as a readier mode*?—*Yes;* we are of opinion that the statement made by the wife as to the absence of her husband is very often untrue, as to whether she has really a husband at all, or whether he accompanied her to England, or on what errand he has gone into the country, and especially as to where he can be found in the country; it is very seldom that they can state themselves where the men have gone to; 'They are gone up the country' is the general phrase."

An accusation constantly made against the Irish-born poor in England and Scotland is, that they are addicted to mendicancy. With mendicancy, as a profession, we have no sympathy whatever, regarding it as we do as an evil of great magnitude in itself, and the prolific source of many greater evils. But we abhor that system by which the poor are driven to this last desperate resource of decency, this ready resource of laziness and fraud. We charge the present law of removal with being the occasion of this evil, and we give the testimony of a highly intelligent Scotch witness, Mr. Smythe, in support of that charge;—

"3395. Mr. *Ball.*] May it not easily happen, however, that the people may be *urged into vagrancy*, so as to lose any advantage which the laws for the relief of the poor give them, from the apprehension of this test which you desire to maintain?—*It may be, and I believe it is the case.*

3396. You believe that a considerable number of persons in Scotland resort to beggary, instead of applying for relief, because of the power of removal?—I do not say a considerable number, but I believe there *is an inducement to gain a living by begging, rather than to make an application to the parochial authorities, the consequence of which would be to remove them from the country.*"

The same thing is admitted, but with more reserve, by Mr. Salter, Relieving Officer, Newport :—

"6857. Mr. *Ball.*] Does it appear to you that this system of removal after all is a very effectual check to the grievance which you complain of, namely, persons coming over, or being sent over, from Ireland, who become chargeable upon the rate-payers of Newport? —I think it effectual; it is an effectual check upon *applications.* I do not mean upon coming over.

6858. It does not appear to you that it is a check upon their coming?—Not at all, *because they are wandering about.*

6862. It appears that the main effect of the law of removal is to *prevent persons from asking for legal relief,* and *to make them seek relief by beggary?—Yes.*

6863. It does not prevent them coming from Ireland?—I do not see that it prevents them coming from Ireland at all.

6864. Does it appear to you that that is a very satisfactory sort of law which has the effect of creating a class of beggars, and which debars people from the legal relief which is provided for them, and makes them seek it in an irregular and scarcely legal way?—Under the circumstances, I do not know how it could be obviated at all. I often think but for this law what difficulty and expense and trouble there would be in Newport. *If it could be arranged in any other way to prevent it, it would be desirable.*"

The fact is, the Irish poor leave their own country with an earnest hope of benefiting themselves, not by begging, not by the receipt of workhouse relief, but through employment, however laborious, however lowly, or however repulsive; and that industrious spirit is discouraged rather than fostered by the law of removal. Mr. Smythe, whose most important testimony we have just given, thus states his belief as to the motives which induce the Irish to go to Scotland :—

"3348. *Chairman.*] What in your opinion, as far as you have observed, are the chief inducements operating upon the poorer Irish to come to Scotland?—*I do not consider that parties come over with a view to be put upon the poor's roll.* I think that they hear from their friends who have come over that there is some *employment* likely to be got for them. I think that they come *in search of employment, that there are very few cases, excepting those who way come to their relations, of parties who do not come seeking employment.* They very likely are uneasy at home, and they think that any change which they may have will be for the better; they fancy that Edinburgh and Glasgow are wealthy places, and that there are many odd jobs there by which they can pick up a livelihood. After having come, I would wish to observe that the vagrancy laws in Scotland are by no means stringent, and that if they find that they cannot obtain a livelihood by industrious labour, there is very little check upon their going about the country begging."

Mr. Rankley, the London pass-master, a person in frequent communication with the Irish, and able to speak as to their object in coming to England, gives his opinion upon the subject:—

"7902. *Chairman.*] You say 'of late'; is the proportion now smaller than it was formerly?—A great deal.

7903. Mr. *Archibald Hastie.*] Are the arrivals the same?—I should say the arrivals as well are reduced; I think the men generally come over here first *for the purpose of endeavouring to obtain employment*, then they send over money for their wives and children to come over after them; therefore it may happen that the women will come by themselves, but perhaps their husbands may meet them when they arrive here, and they frequently come over in a very destitute condition.

7904. That is the wives and children?—Yes. So that they can get here."

One monstrous delusion seems to have filled the minds of the majority of the English witnesses—that their workhouse dietary is the grand magnet of attraction, which no hungry Irish stomach can possibly resist. If they feed their own poor liberally with one hand, they must of necessity brandish the law of removal in the faces of the importunate Irish, or the result would be that rates and ratepayers would be actually devoured by that famished race. Scarcely an official that does not shudder at the bare notion of repealing the law, and thereby giving the Irish a right to relief without risk of removal. It would be most objectionable—highly injurious—particularly inexpedient—a serious injury—most detrimental—painfully distressing—positively disastrous! Workhouse diet a test!—why English workhouse diet is something sumptuous to the Irish palate. We might multiply evidence on this head; but that of Mr. George Carr, the Governor of the Liverpool Workhouse, will suffice, it being very much similar to the rest:—

"5517. *Chairman.*] Have you formed an opinion as to how far it would be practicable to do away with the law of removal of Irish paupers from this country to Ireland?—I have formed an opinion on it.

5518. What is your opinion on that?—My opinion is, that it would be very dangerous to abrogate the law of removal.

5519. Will you state the reasons which lead you to that conclusion?—They are founded principally on my comparison of the mode of relief in Ireland and in England. I find that in England out-door relief is very extensively given; I find, also, that the in-door system is very different to the in-door system in Ireland; and I think that out-door relief is a mode of relief that the Irish poor

are very favourable to; and that if the law were changed, and they could get to England, they would have then the means of obtaining relief according to their own favourite system. If, again, they were sent to the workhouse, the mode of treatment there is *so very much superior* to the treatment in the Irish workhouses, *that it would offer an inducement to the Irish poor to come to England.*"

Now Birkenhead is not very far from Liverpool—only just across the Mersey; and we would suggest that the Irish weakness, with respect to gastronomic delicacies, is about the same at the one side of the stream as at the other. With this remark, we introduce Mr. M'Nerney, Relieving Officer, Birkenhead:—

"6150. *Mr. Maguire.*] Is the diet in your workhouse as liberal as that in the Liverpool?—I cannot say, for I have not compared the two; they give a very liberal diet.

6151. You told the Committee that 674 were offered the workhouse, and that 56 went in; that is leaving, I think, 618 who refused?—*Yes.*

6152. They refused to accept of the workhouse relief?—*They did.*

6153. Then the workhouse did not offer sufficient attractions to those paupers to induce them to enter it?—*No.*

6154. You say that the dietary of course is much superior to that of Irish workhouses?—*Decidedly.*

6155. From the fact of those 618 persons having refused the advantage of that very liberal scale of dietary as compared with the Irish workhouses, would it be your opinion that a very large number of paupers leave Ireland for the express purpose of receiving the advantage of such liberal diet?—I do not think that they leave expressly for *that* purpose.

6156. You do not think it is probable?—*No,* not expressly for *that* purpose.

* * * * * * * * *

6167. Did these 618 persons who refused the relief in the workhouse apply to you for relief again?—I could not follow them.

6168. The greater number of them?—They would apply for relief under different circumstances, and perhaps obtain it.

6169. But you state positively that 618 of those refused the workhouse relief?—*Decidedly so. I have compared the books of the workhouse with the orders upon my own books.*"

Mr. Pashley, Q.C. is asked:—

"6417. Sir *J. Pakington.*] Are you aware of the *great difference* which exists between the system of pauper-relief in England and the system of pauper-relief in Ireland?—There must be a good deal of difference. I have been in Ireland, and have seen something of it there, and also in England, *but still the workhouse is to an Irishman as much a prison in England as in Ireland; he is not very particular about cleanliness or the dietary which he gets.*"

In the following reply, Mr. Pashley hits off this diet delusion most effectually :—

"6436. *Mr. Maguire.*] Some of the witnesses who have been examined here have laboured under the idea that, if the law of removal were done away with, a very large number of poor would come to this country for the mere purpose of enjoying the different dietary in the English workhouses as compared with the Irish. You have given an opinion upon that point; but I wish distinctly to elicit from you, whether you have any apprehension that any number of Irish would leave their country for the express purpose of obtaining the advantage of the different diet in this country?—*They would not*, except in such an event as the famine of 1847. If you had actual starvation in Ireland, if people died by the roadside, or in the workhouse, where they were overcrowded or underfed, and if they could come to England with the chance of not dying, I think they would come to England to get relief there; *but unless there was something of that sort, I have no idea that they would do it.* I am not much surprised to hear that people have expressed that opinion, because *I have myself heard it said again and again*, when the last Bill was in Parliament, in reference to the English poor, 'The moment this Bill passes, *we shall get all the paupers coming to us for the better dietary of our house; we treat them so much better here than in those miserable places in the other parts of London, that they will come here directly.*'"

The question is put to Mr. Salter, Relieving Officer, Newport, in another form :—

"6865. Mr *Ball.*] Have you observed that Irish people who are able to earn a living, voluntarily remain in the workhouse?—*No.*

6866. Do you think that any who were not really in great distress would remain as a charge in the workhouse if relief was given in the workhouse?—*No, I think not.*"

The governor of the Liverpool Workhouse is asked—

"5733. Mr. *Ball.*] Did you observe that the dietary in Belfast was a good deal above the others?—*It is a very respectable dietary; meat is allowed.*

5734. Have you heard that Irish paupers flock from other workhouses into the town of Belfast?—I have not heard of it, nor have I inquired about it.

5735. From your knowledge of the Irish law, do you think that, if it were strictly enforced, it would pretty effectually prevent that?—I think so.

5736. And do you think it pretty safe to conclude, that that is a protection to Belfast against the influx of paupers from the poorer districts?—I think so; I think they may suffer, but not to any great extent.

5737. Do you think that a similar state of the law, with regard to persons going from one place to another in England, accompanied with the power of sending parties back who come without visible

means of obtaining a living, would protect Liverpool?—If you give us the power of sending them back, it is the very thing I am asking for, as I wish to retain it."

As reference is thus made to Belfast, we shall see what Dr. M'Gee's apprehensions are as to his "very respectable dietary" being devoured by the paupers of other unions.—

"2858. Mr. *J. Ball.*] Although Belfast is a great centre of industry, and wages are higher, you are not afraid that the influx of labour from rural districts, without a law of settlement and removal, will be such as to unfairly burthen the rates to any serious extent?—I speak first for myself; *I have no such fear.* I speak also *for the majority of the guardians,* who express distinctly in their last petition to your House their feeling upon the subject. There may be, indeed I may say that there are, *one or two* who fear that they would have a great burthen unless they had a power of removal; but these are persons who have had *little or no experience;* they have not been long guardians, and *I would not place much confidence or much weight in any opinions held by them. We are most unwilling to get any such power.*

2859. Mr. *Maguire.*] The power of removal from one Irish union to other Irish unions?— *We want to see no power of removal whatever in any part of Great Britain or Ireland.*"

Believing firmly, as we do, that this Irish migration is entirely induced by a spirit of industry even more than a love of adventure, by a desire to obtain honest wages for honest work, we now approach a most important branch of our subject—the value of Irish labour to England and to Scotland.

If it be of advantage to the poor man, whose only capital is his labour—the strength of his arms and the skill of his brain—to be allowed to carry that labour to the best market, it is of still greater advantage to the capitalist, who has to compete with the industry and enterprise of the world, to be able to employ the readiest, the cheapest, and the best labour which it is possible for him to procure. To waste time or space in defence of a proposition so plain and self-evident, would simply be to insult the understanding of the reader. It must be admitted by every man who knows anything of Scotland and England, that both countries are under the deepest obligations to Ireland, for that constant supply of bone and muscle, of physical strength and ready will, which have enabled them to undertake great enterprises, to accomplish stupendous works, and to hold their ground firmly against the increasing skill and more daring rivalry of foreign nations. Ireland not only supplies the sister countries with an abundance of labour

of the highest value, but the very facility of obtaining that supply has this beneficial tendency—it helps to keep the price of labour, whether rude or skilled, within a fair limit, fairly remunerative to the working classes, but fairer still to the employer of every class and kind. Banish that patient, cheerful, hard-working population from the cities and towns, the hamlets and villages, of England and Scotland—place a ban upon the strong-armed and brave-hearted Celt, and proclaim to the world that he shall have no welcome and no resting-place in your favored lands; and who will suffer most thereby? What will London, Liverpool, Manchester, Glasgow, Paisley, Salford, Aberdeen—what will any one of the great cities or towns of England and Scotland do in the absence of their teeming Irish populations, for whom no labour is too heavy, no drudgery too discouraging, no difficulty too great, no danger too appalling? They toil in the docks of London and Liverpool; they dig in the mines of Cornwall and Ayrshire; they labour on the railways; they work on the river and on the shore, in the factory and in the field; they assist as well in the erection of a palace or a temple, as in the construction of a breakwater or a canal; they till the soil and gather in the harvests alike of the rich Lothians and the fertile fields of Devon and Yorkshire. Term their labour what you may—"rude," "unskilled," "of the lowest grade"; yet how eagerly is it sought for, and how truly it is appreciated, by the contractor and the cotton-spinner, the founder and the tanner, the shipper and the wharfinger, the builder and the miner—by all who have to compete with the capital or the enterprise of other men, whether at home or abroad. Banish the Irish population from those proud and prosperous countries, and you strike a blow at their pride and their prosperity which would be felt for a century. Then let this priceless labour, this willing industry, be honoured in its strengh, and protected in its decay.

Have we been indulging in Irish exaggeration, such as our national predilections might account for and excuse? The reader shall judge for himself whether we cannot give chapter and verse for every word we utter. The evidence before us teems with testimonies to the value of Irish labour, not always generously offered, but not the less important on that account. We commence with London, and the evidence of Mr. Coombes, Relieving Officer, St. George's in the East:—

"7674. Mr. *Ingham.*] What class of occupation do the 6,000

Irish that you have follow?—*Labourers at the docks, coalwhippers*, and *ballast-heavers.*

7675. Then they are of *that class* of population from whom *you would expect to find that cases requiring relief would arise?—Yes, I should say so.*"

Mr. Cornwell, Assistant Clerk to the Bermondsey Board of Guardians, indicates the value of the Irish element in his parish:—

"7541. *Chairman.*] Have you a great many Irish in the parish?—We have.

7542. How are they chiefly employed?—*In fellmongers' and tanners' yards.*

7543. Are they chiefly employed in some industrial way?—*Yes, mostly in that capacity; and I may say at the market gardens, and at the glue factories.*"

Mr. Dore, Assistant Overseer, St. James's, Westminster, is examined:—

"7508 Mr. *Ingham.*] Have you any means of knowing what proportion the working people of the Irish population bear to those of the English; those who do *the roughest work*?—The great majority of them are labourers.

7509. The greatest majority of those whose families come before you for relief are Irish labourers?—*Yes; they come over to this country for that purpose;* and a great many are what they term costermongers; they get their living by selling things about the streets; those are labourers, only they cannot find employment as labourers, and they turn their hands to that mode of living.

7510. Do you know what branch of labour it is that the Irish are chiefly employed in?—*As bricklayers' labourers*, I should say.

7511. Have you any means of knowing in what proportion the natives of the two countries stand to each other in respect of those branches of hard and rather repulsive labour?—*We have very few English labourers indeed who take that work which the Irish take.*

7512. *Then the Irish almost exclusively supply what is required to carry on those branches of labour?—Yes.*

7513. And they form the proportion of one-fifth of the inmates of your work-house?—Yes."

Let us now direct our inquiries to Liverpool, from which, as we have shewn, 4,503 Irish were banished in the year 1853, at a cost of somewhere about 5s. a head. The Governor of the Liverpool workhouse, Mr. George Carr, is asked:—

"5770. *Chairman,*] Does not the influx of Irish labour encourage the undertaking of various great enterprises which could not be undertaken without?—*Unquestionably.*

5771. *So that all classes of the English community benefit by it?—*

Yes; although the labourer himself may not be able to maintain an unfair rate of wages, the community are benefited by it to a large extent."

The reader will be the more inclined to agree with the proposition of the President of the Poor Law Board, and the admission of the Governor of the Liverpool workhouse, when he reads the following replies of the Rev. Mr. Campbell, the Chairman of the Liverpool Select Vestry:—

"5007. Mr. *Hamilton.*] With regard to Irish labour, which you mentioned just now, is there not a great value in that kind of labour in Liverpool?—*It is extremely valuable; I think it very difficult to ascertain what the value is;* I think any estimate of that sort would be fanciful, *but I am inclined to place a very high value upon it indeed*; WE COULD NOT DO WITHOUT IT EITHER IN TOWN OR IN COUNTRY. *In the present state of the labour market, English labour would be almost unpurchasable if it were not for the competition of Irish labour.* The English labourers have unfortunately been taught their rights, until they seem to have forgotten their duties, and they not only will not work themselves, but will not allow others to work, and therefore we have derived very great assistance from the Irish; I myself have derived very great assistance from them personally.

5008. I suppose you allude to some strikes which have taken place?—Yes.

5009. Mr *Liddell*] And labour unions?—Yes; and the agricultural labourers now have a reluctance to work for *what I think remunerative wages*, and in that case *we are very frequently able to put on the screw of the Irish competition; we get an Irish labourer to do the same work extremely well, and therefore it benefits us very much.* But then, with the highest appreciation for Irish labour, and I do not in the least wish to depreciate it, or to injure the Irish labourer in the slightest possible degree, I am most anxious to give every advantage that can possibly be given by the law or by humanity to every honest, industrious Irish labourer; but with the highest appreciation of its value, *I think it may be bought too dear.*"

The Rev. Mr. Campbell is fully entitled to his saving clause, the possibility of paying "too dear" for this valuable commodity; but if it be all that so competent a judge says it is—not only good of itself, and even better as a check upon extortion and a protection against the tyranny of monopoly, but such as neither town nor country can by any means do without—then we willingly leave it to the reader to say whether the apprehensions of the Rev. Mr. Campbell are not more those of a Chairman of a Board of Guardians than a Patriot.

We cross the Mersey, and come to Birkenhead, and we meet with our former acquaintance, Mr. M'Nerny, the Relieving Officer, who is rather emphatic in his replies:—

"6170. Mr. *Maguire.*] I believe Irish labourers have been of very great service to Birkenhead?—*No doubt of it.*

6171. In the construction of the docks?—*There is no doubt of it whatever.*

6172. I believe that if you had not Irish labourers, you would suffer very great inconvenience,—would you not?—*I believe the country could not go on without Irish labourers.*

6173. *That is your deliberate opinion?—It is.*"

Perhaps we are a little out of our course in giving the following in this place; but it is highly valuable, as shewing that the destitution from which the Irish labourer frequently suffers, is not always to be set down to his own fault. It is the same witness who is under examination:—

"6092. Mr. *Ball.*] In the union of which you are the officer there has been a considerable amount of labour at times required in works connected with the port, has there not?—A vast deal.

6093. Has the demand for labour of that kind varied a good deal?—Very much.

6094. Do you attribute a considerable portion of the pauperism among the Irish there to the fact that people have come and got employment for a time in the construction of docks, or otherwise, and have been afterwards unable to get employment?—No doubt of it; *a vast deal of pauperism has arisen from the fluctuating character of the employment.*"

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"6127. *Chairman.*] What do you mean by a heavy winter?—There was *a long period of frost and snow*, which prevented even industrious men from following their occupations, and put them to a very great deal of inconvenience, and some leniency was shown to them under those circumstances by the Board."

A very strange thing if there were not, Mr. M'Nerny, considering that your docks could never have been constructed without the labour of these poor fellows.

Running up to Manchester, let us inquire a little as to the value of Irish labour in that wonderful seat of national industry, whose printed goods are worn by almost every nation in the world, savage as well as civilized. Mr. C. H. Richards, Senior Vice-chairman of the Manchester Board, is the witness—

"6367. Mr. *Maguire.*] I believe a large number of Irish are employed in the *factories* in Manchester?—*They are.*

6368. And a great number of *Irish girls* are in the *factories?—I have no doubt of it.*

6369. Does the same apply to Salford?—*I should presume so;* the trade of the two townships is very similar.

6370. Do you know whether these Irish girls have a peculiar aversion to work?—I should not say so, *but the contrary.*

6371 Do you know that they are very generally employed?—*Certainly.*

6372. Are you not of opinion that the Irish labour in Manchester is a source of its wealth?—*I have not a doubt of it.*

6373. And of its power of competing with foreign countries?—*Not a doubt of it.*

6374. That the presence of that large amount of labour makes a considerable difference in its favour?—*I have not a doubt of it.*"

Mr. Richards speaks as to the extent of the Irish population of Manchester, and again acknowledges the value of their labour.—

"6287. Mr. *Maguire.*] Using the general expression, 'Manchester,' what do you reckon to be the Irish population of Manchester; that is, taking those born in Ireland, and the descendants of those who have come from Ireland, but having themselves been born in Manchester?—I could not give any statement of the numbers.

6288. It is computed at from 70,000 to 100,000?—I have heard it stated by gentlemen of considerable experience, that the probability is that there are not less than 70,000 in Manchester proper.

6289. Then you still, of course, adhere to the view which you expressed before, namely, that Irish labour is very valuable to your industrial progress?—*The value of the Irish labour is admitted very freely in Manchester.*"

Mr. T. Harrop, Clerk to the Township of Manchester, is asked.—

"6275 Mr. *Maguire.*] Are you of opinion that the Irish population is rather an advantage to Manchester than otherwise?—*Yes, I am quite prepared to admit that that is the case.*

6276. Through the existence of that population, the spirited manufacturers of Manchester are better able to carry on their competition with the manufacturers of the other nations of the earth?—*I have no doubt that they are of very great service in reference to the labour which they contribute.*"

Crossing the Border, let us learn something of the use to which our countrymen are turned in Scotland; and this we may perhaps do by referring to Mr. W. Smythe, one of the most intelligent of its witnesses.—

"3517. Mr *Maguire.*] You have said that the Irish are not the sole cause of the poverty of the country; are they not, to a very large extent, a source of its wealth and progress, considering how materially they have aided in the promotion and accomplishment of great works within the last 20 or 30 years?—The Irish labourers have been *extremely useful* in Scotland, and they are *excellent workmen*; their labour is confined generally to employment of, what one may call, the lowest grade; what I mean is, that they do not find em-

ployment as skilled artisans, or handicraftsmen. They are chiefly employed in *digging, draining, trenching, making roads, and all that sort of thing;* but I am quite satisfied that, if you asked the opinion of any of the *farmers* in the Lothians, or in any of the choicest districts in Scotland, they would say that *they are under the greatest obligations to the Irish;* that they have been *of great use* to them.

3518. In Greenock, Glasgow, Paisley, and other large towns, have not the Irish been of great use?—*I have no doubt of it;* but I would also say that in Greenock, Glasgow, and in Paisley, you will always find that the Irish form the lowest class of the population; they are always of that class which verges most nearly upon poverty.

3519 As the working class generally do?—No; there are employments and occupations which are filled up by Irish, which the Scotch do not like even to touch.

3520. But does not that show an industrious spirit rather than the contrary?—*It is an anxiety to earn a livelihood.*"

Mr. Smythe is not the only witness from Scotland. Mr. Adamson, Inspector of Poor, Glasgow, is examined:—

"4393. *Chairman.*] Many of them are amongst *your hardest working men?—Yes; I should consider that it was libelling their character if I said that they were not industrious;* I should be very sorry to do it; *I know some, than whom there are not harder working people in the world, or better behaved people.*

4394. Mr. *Maguire.*] They are ready to undertake *any* labour, however rough, or however seemingly mean it may be, are they not?—*Yes; I should be very sorry to say anything to the contrary.*

4395. And you do not bring forward the fact of their being employed as hawkers as disparaging?—Not at all; a great many of the women are so employed.

4396. That is only one of their means of livelihood?—That is only one of their means.

4397. How are the Irish generally employed in Glasgow?—The same as the Scotch; *they are employed in all kinds of work like the Scotch; labouring work.*"

Mr. J. Campbell, of Craigie, Co. Ayr, a gentleman of property, is asked:—

"3253. Mr. *Maguire.*] Which particular employment absorbs the largest amount of labour in those districts which you speak of?—*The coal mines.*

3254. Which coal mines are those?—St. Quivox.

3257. Are there many Irish employed?—*Yes, they are all Irish,* at least as far as I know; the headsmen are Scotch, *but all the others are Irish.*

3258. Will you give me some reason why the Irish are so largely employed in that particular d partment?—*The Scotchmen preferring other employment.*

3259. Then do they find the Irish prepared to undertake this very laborious employment?—They undertake very laborious employment at very high wages.

3260. Is not the prosecution of a great work of that kind of great value to Scotland?—*No doubt it is.*

3561. And therefore it is of great importance to have a class of men *hardy and willing to undertake that particular labour?—Yes.*"

Mr. Gordon, of Edinburgh, to whose evidence we shall refer again immediately, gives his own opinion, and quotes that of gentlemen of the highest position and respectability, as to the local and nationa ladvantage which Scotland derives from her Irish population:—

"3922. Mr. *Maguire.*] With respect to the importance of the Irish population to Scotland, do you think that the Irish population are of great importance to Scotland?—*Yes I do.*

3923. In what way?—*I think the labouring population is of very great importance in such a town as Glasgow for instance.*

3924. Did you ever hear or see it stated that *the Irish in Glasgow were essential to its industrial progress*?—I have seen that stated.

3925. Where have you seen it stated?—I saw it stated in a document which was handed to me with reference to another totally different subject, an address presented by the Glasgow Public School Association to Earl Granville, with reference to national education.

3926. The document referred to is 'A memorial on behalf of a national system of education, addressed to the Right Honourable the Earl Granville, by the Glasgow Public School Association, February 1854'?—Yes.

3927. Amongst the names signed I believe is that of 'John Tennant. of St. Rollox, chairman'?—Yes.

3928. Is he a man of very high position?—The statement to which I refer derived a great part of its importance, in my eyes, from the fact of its having been signed by him.

3929. 'James M'Clelland, 10, Claremont-terrace, Glasgow,' is another?—Yes.

3930. 'Richard S. Cunliffe' another, and 'George Smith' another?—Yes.

3931. Are those names of reliable persons?—Yes.

3932. In the memorial I find this passage: 'At the late meeting at Glasgow, under the presidency of Lord Panmure, in the midst, be it recollected, of a population with which 100,000 Catholics are intermingled, *and to whose industrial progress they are essential*;' in point of fact, those parties might be otherwise described as *Irish*?—*Yes.*"

We shall only trouble the reader with one witness from Wales upon this, as we believe, eminently important point; and the reader will perceive the value of admissions made by persons who, in spite of their own strong consciousness of local grievance, are still capable of discerning a great

national good. It is Mr. E. David, the Chairman of the Cardiff Union, who replies:—

"6654. Mr. *G. A. Hamilton.*] From the considerations suggested in the questions of the Honourable Member who examined you last, (Mr. *A. Hastie*), do you think that it would be desirable to exclude Irish labourers from the English labour market?—*No; I do not.*

6655. Why? I have stated before that *I see no evil in equalizing, in a public point of view, the value of labour over the country generally;* but I consider it a great grievance that a few situations should be burthened so heavily as we are in Cardiff, and some other situations, by effecting that object which I consider is desirable.

6656. Then it is your opinion that the competition of the Irish labourer is advantageous to the community at large?—*I believe so to the employers of labour; I have experienced the advantage of it: I have employed a good many labourers myself, and I have found the advantage of having occasionally the assistance of Irish labourers.*

6662. Mr. *Archibald Hastie.*] Then it is the employer and not the country who, the Committee are to understand, would get a benefit from it?—Yes; *all the large manufacturing interests derive an advantage from the low rate of labour.*

6663. Are you aware that the large manufacturing interests form but a small proportion of the British community?—They form a *large* proportion; but there *is the agricultural interest also who employ largely the Irish labourers; I have employed them largely myself.*"

Mr. Pashley, Q.C., is a gentleman of great experience, and in a position to judge with perfect impartiality; and with the following extract from his evidence we shall conclude our authorities upon the question of the value of Irish labour. Mr. Pashley's information is useful in more than one point of view.

"I should say also, (says Mr. *Pashley*) that, generally speaking, I have found upon my inquiries, that in London it is mainly *in the depth of winter,* that there is a pressure of the Irish, *which seems to show, and I have no doubt it is so, that they are industrious people, desirous of earning their own bread,* and that the fact of their wanting to get relief in England is an incident in relation to them. This is one of the answers which I got from a very intelligent officer, who had been about 20 years in different parishes in London, relieving the poor: 'For a couple of months in the severity of the winter, I think a good many Irish would come in, if no power of removal to Ireland existed, *but with the approach of spring they would leave;* they like a rambling life;' that is his view of the question as far as the effect of abolishing the power of removal goes.

6410. Sir *J. Young.*] Did you understand that answer to refer to vagrants only, or, to persons occasionally employed?—I understood this not to apply to vagrants; mere vagrants I did not inquire about at all, because those I consider like the English vagrants; I

would have them punished. *But a great many of them are employed in hop-picking in Kent and other places,* near London, and after that is over a good many come to town, and some of them having been at work getting all they could, become chargeable in the course of the winter. I may mention that *the number of persons employed in hop-picking is very large.* One of the last reports, about two years ago, on the cholera in London, Mr. Baines' Report on Epidemic Cholera, tracing the localities very much inhabited by Ireland, where it mainly arose, ascertained that one particular hop-grower, whose name is given, employed nearly 1,000 hands, down in Kent, and *that about* 600 *of them were Irish;* and from my own knowledge for the last 20 years, and that of my friends with whom I have talked on the subject,-*there is a very large contribution of Irish labour in the agricultural districts, in the Midland Counties, and the North of England.* In the West Riding of Yorkshire, *notwithstanding its great population, there is a good deal of Irish labour;* and in Nottinghamshire, and down as far as Northamptonshire, a very large portion of the labour employed in getting in the harvest is Irish, *and as far as my observation goes, (for I have seen something of them), as a body, they are just as well conducted as any men in the world.* Now and then there are rows between them and the English; I have had such a case at the York assizes, on the criminal side, *but I speak of them generally.*"

Sir John M'Neill affords some interesting statistics of the Irish population in the towns of Scotland:—

"3152. Mr. *Ball.*] Have you any information as to the population of Irish working people in the town of Glasgow and its neighbourhood?—I have some information as to the population in the towns of our country.

3153. Derived from the last census?—Yes; the number of persons born in Ireland, in the county of Renfrew, was 25,678; in the county of Ayr, 20,967; in the county of Wigton, 7,042; in the county of Lanark, 89,330; in the county of Edinburgh, 15,317; in Dumfries, 2,166; in Forfar, 16,219; and in Aberdeen, 1,727.

3154. To that large number must be added a considerable number for the children of those persons who have been born in Scotland, in order to form a fair estimate of the average population?—Yes."

Poverty has few attractions for the world in general; but we much doubt if want and destitution be less favorably regarded by any class of the community than by those who are specially appointed to administer to its relief. If this be generally the case, as we have a strong suspicion it is, it is peculiarly so where the want and misery are Irish, and the administering official is English or Scotch. Sir John M'Neill, in his evidence, afforded painful proof of the existence of a bias the very opposite of creditable to the heart or the judgment of those officials from whose reports he freely quoted. These officials had been referred to by the Chairman of the Board of

Supervision for their opinions as to the policy or impolicy of abolishing the power of removal; and, with a most creditable alacrity, they poured in their opinions and views upon the great authority of the Central Board. A very few of them confined their reports to the expression of a strong and steadfast aversion to any alteration of a law from which Scotch parishes had derived such inestimable advantages, as under its wholesome provisions they were enabled to make "amicable" arrangements for the "voluntary" removal of more than 40,000 poor Irish in the course of eight years. As well touch the keystone of the Constitution, even lay profane hands on the Ark of the Covenant, as meddle with this salutary law. Remove the dykes of Holland, and that fair land, with all its agricultural wealth and all its patient industry, will disappear beneath the waves of the ocean—lay prostrate the legal barrier by which Irish hunger is scared away from Scotch porridge, and Scotland will be picked bare as the barest peak of Ben Nevis! On this point official Scotland was unanimous. But Sir John had more ambitious correspondents, who, not condescending to limit themselves to a formal reply to an official application with reference to a specific point, launched out into a denunciation of the Irish race, their habits, their morals, their nature, their characteristics, and their tendencies. Official zeal is inflamed through parochial apprehension, and alarmed selfishness adds zest to national dislike.

One of those liberal-minded individuals, a Mr. Brown, Inspector of the poor for the parish of Paisley, thus daguerreotypes the Irish population of Scotland:—

"If the poor coming from Ireland brought with them cultivated minds and virtuous habits, their presence amongst our own people might possibly compensate to some extent for the burden of their support, but the *great mass* is unhappily of an entirely opposite character; destitute of education, *coarse and sensual in their feelings and habits, and insensible to the value of anything which does not directly minister to the gross appetites of animal nature*, their influence on our poorer classes has already been *most pernicious*."

Mr. Brown lays on the dark brush rather too powerfully, and only succeeds in producing a gross and monstrous caricature, as foreign from the truth as Mr. Brown is from fairness or impartiality. Our poor have their faults, some of them in excess; they are passionate, impulsive, easily led, inclined to quarrel, and not over-temperate in their cups or

cleanly in their habits. But to say that they are "sensual in their feelings"; or "insensible to the value of anything which does not directly minister to the gross appetites of animal nature," is to say of them what is a foul and calumnious libel, a libel as black as was ever written, by national prejudice, of a detested race. If a strong attachment to their country, and an inextinguishable love for their blood and kindred; if a tender veneration for old age, and a quick sympathy for suffering and distress; if passionate gratitude for favours conferred, or even for kindness exhibited; if a well-tried fidelity to the religion of their fathers, and a profound respect for the holiness of the marriage tie, and the sanctity of female honour,—if these indicate that revolting and loathsome character, and those beastly and brutal tendencies, which the words of Mr. Brown, the Scotch Inspector, alone represent, then we admit the Irish are the lowest savages within the pale of civilization. We have had some valuable testimony already on this head; but as the accusation is one so infamous and dishonouring, the Irish reader will pardon us if we quote, at some length, the evidence of Mr. James Frazer Gordon, the gentleman to whom we have more than once already referred. Mr. Gordon is a Scotchman by birth, connection, and education; but not being paid for ministering to the necessities of the poor, Mr. Gordon is not a Mr. Brown.

The proposition is thus put to Mr. Gordon, who, with characteristic caution, desires to ascertain with greater clearness what it is he is called upon to give a specific reply to.—

"3949. Mr. *Maguire.*]In Sir John M'Neill's evidence, given before this Committee, he read a letter from an Inspector, a Mr. Brown, in which there is this passage: 'If the poor coming from Ireland brought with them cultivated minds and virtuous habits, their presence amongst our own people might possibly compensate to some extent for the burden of their support,'—I call your particular attention to this—'but the great mass is unhappily of an entirely opposite character, destitute of education, *coarse and sensual in their feelings and habits, and insensible to the value of anything which does not directly minister to the gross appetites of animal nature.*' From your knowledge of the Irish, do you think that that is a fair representation of the great mass of that population, so far as your experience goes?—*I should be sorry to apply such a description to any large class of either Irishmen or Scotchmen, or any other nation.*

3950. In point of fact, do you think it is justified?—*Certainly not; as applicable to the great bulk of the Irish in Scotland.*

3951. The words are 'the great mass.' It is not applicable to them?—*Certainly not.*

3952. Will you give your reasons why it is not?—I was going to *ask the precise value of the expression;* I do not quite understand what may be meant by it."

Mr. Gordon is asked as to two points—

"3953. Suppose we take either *the virtue of sobriety or the vice of intemperance;* generally speaking, are they *less sober or more intemperate than their Scotch neighbours?*—My conviction is, founded upon all that I have ever seen upon the subject, that the *habits of the Irish population, as a whole, would not suffer by comparison with the habits and morals of those by whom they are surrounded.*

3954. Are they more addicted to the vice of drunkenness than the Scotch?—*I have no reason to suppose so.*

3955 As to *honesty;* do you think they are *less honest* than the very poor class of the Scotch?—*I do not think they are less honest;* but the criminal statistics, I think, would furnish information upon that point with respect to honesty, and I may refer to Professor Alison once more upon that subject as an authority."

As Mr. Gordon refers with confidence to the testimony of Professor Alison, it may be well to state who that gentleman is. William Pulteny Alison occupies the very highest position in his native country as a professional man, filling the chair of medicine in the University of Edinburgh, and holding the distinguished rank of First Physician to Her Majesty for Scotland. He may be made more popularly known to the reader by the mention of the fact of his being brother to Sir Archibald Alison, the celebrated author of the *History of Europe.* It is to this gentleman that Mr. Gordon refers for his opinion of the character of the Irish population in Scotland; and we venture to think the reader will receive it with as much respect as that of the Paisley Inspector:—

"3956. What does Professor Alison say?—In his pamphlet read at Belfast, he refers to the conduct of a body of labourers, both Irish and Scotch.

3957. Will you have the kindness to read that passage; it was publicly delivered, I believe, at Belfast, at a meeting of the British Association?—Yes. Speaking of the law of settlement and removal, he says: 'It may be very generally observed that *the natural result of a law inflicting unnecessary and undeserved suffering on any portion of the community is,* that those people, and especially the younger people, *learn systematically* (and among themselves boastfully) *to evade it.* Those against whom the law is, will usually be against the law. We cannot be surprised, therefore, to find that various frauds and petty thefts are common, and that many children are early initiated into such practices, although belonging to a class (the Irish in Scotland), *the working members of which cannot in*

general be justly said to be either deficient in industry or prone to crime.'

3958. Do you not look upon that as a distinct contradiction to the statement which I have read to you?—*Emphatically*, as I understand it. 'As this last position may be doubted (says Dr. Alison) I give a single example (and I am assured by no means a singular one) of the conduct of a large body of Irish labourers, varying from 370 to 260, and associated with a somewhat smaller number of Scotch labourers (the whole number having varied from 630 to 450), during four years together, in executing the water-works lately constructed on the Pentland Hills, for the supply of the town of Edinburgh. This large body of men, several miles from any town, were watched by *a single policeman*, who happened to be my tenant; and although there were, as might be expected, occasional quarrels, and men apprehended for assaults, there were only five during the four years accused of theft. In the year 1850, when the number of Irish was 370,' that is the highest figure, *'there was not a single theft; and after becoming a little accustomed to these neighbours, all the inhabitants even of this retired and thinly peopled part of the country, felt perfectly secure both as to person and property.'*"

Mr. Gordon gives an opinion upon a most essential portion of Mr. Brown's statement:—

"3959. Again, speaking in reference to their indifference to everything which does not directly minister to the gross appetites of animal nature, may I ask you, is *the marriage tie held less sacred by the Irish in Scotland* than by those of the same class among the natives?—I am not aware that it is; *I should say not less.*

3960. You said that you knew there were a number of Irish girls employed in the mills and factories of Dundee; have you any means of knowing what their general character is?—*Yes*; without having any idea, at the time, that I should be asked any questions upon the subject, and without having made any special inquiries on the subject, I have heard it stated in Dundee, with respect *both to the girls and the men employed there, that it was not an unusual thing for the magistrates to refer in complimentary terms to the conduct of the Irish there;* and with respect to the *girls* employed at the factory, I have good reason to believe, indeed I may say to know, so far that I cannot doubt either the means which my informant had of knowing or his accuracy in point of fact, *that the conduct of the girls with respect to morality is most striking, and that* ANY BREACH OF THE LAWS OF CHASTITY IS ALL BUT UNKNOWN.

3961. Is it very probable that they should so much respect the law of chastity, and that the violations of that law should be so infrequent, if their parents could be represented as 'insensible to the value of anything which does not directly minister to the gross appetites of animal nature'?—*No.*"

The subject is painfully but necessarily pursued:—

"4007. Amongst the *unfortunate women in Edinburgh*, have you

ever heard that there are *very few Irish* ?—Yes, I have heard there are *very few comparatively.*

4008. Were you ever told that the total number in Edinburgh was computed at 6,000 or 7,000 ?—I think a statement to that effect was made to me by one of the criminal officers ; several thousands ; but I cannot state as to the precise number.

4009. That was the impression left upon your mind by the statement ?—That is the impression which remains upon my mind.

4010. And is it the impression upon your mind that there are *very few Irish* amongst them ?—The statement which I received left that impression upon me also, that *they were comparatively extremely few.*

4011. Therefore a statement of that kind is quite contradictory of the assertion which I have read to you as written by Mr. Brown ? —*I should look upon it as contradictory of a very essential portion of that statement.*"

Another of Sir John M'Neill's official correspondents used the complimentary epithet "the scum of society," as applicable to the Irish in his district. The following evidence given by Mr. Gordon is happily corroborated by a writer who never dreamed of his words being quoted on such an occasion :—

"4002. Was your attention ever called to a series of letters that appeared in the 'Scotsman' Newspaper ; did you ever happen to see that series of letters (*handing a document to the Witness*) ?—Yes.

4003. 'Letters on Destitution and Vice in Edinburgh. Reprinted from the 'Scotsman' Newspaper, by Adam and Black, 1850.' There is this passage, to which alone I will call your attention : 'Virtues may be found in the most unpromising situations, and *it is not going too far to say, that in the hovels of the poor Irish of the Cowgate, virtues will be met with which are not over-abundant in the best society in Edinburgh.*' Do you think that that is an exaggeration in reference to the Irish ?—I believe that virtues such as the pamphlet describes may be found in abundance in such localities amongst the poor as well as amongst the rich ; I do not see any distinction.

4004. Would you say that those who are reduced to so miserable a condition as to be obliged to live in these mere hovels in the Cowgate, are *the scum of society ?—It is contradictory of itself.*

4005. From your acquaintance with the destitute poor of the Irish-born who live in the Cowgate, would you say that they are amongst the scum of society ? *Certainly not ; and I think that the description in that letter is more applicable to the character of the Irish than the other description.*"

The opinion of Mr. Campbell, of Craigie, a gentleman of rank, is more than important, it is amusing :—

"3280. Mr. *Maguire.*] Would you be inclined to say, from your knowledge of the descendants of the Irish—of course your acquaint-

ance is limited to certain districts—that they were the scum of society ?—*Not at all.*

3231. You say that generally the infractions of the peace arise from their drunken habits ?—I think so; but, if I may use the expression, *the cross-breed between the Irish and the Scotch is the worst class of all;* the pure descendants either of Irish or of Scotch are better than the cross.

3232. Then the Irish breed is not *much improved by the Scotch cross ?—I do not think it is.*"

Now as Sir John M'Neill read the reports of his officers to the Committee, it may be well to know whether he coincides in opinion with them, and believes them just. Sir John takes the opportunity afforded him by the following question to set himself right upon the matter :—

"3064. *Chairman.*] Without adopting every opinion expressed in those letters, I understand you to adopt the general conclusion of them all ?—*I by no means adopt all the opinions expressed in those letters; I do not at all pretend to make myself responsible for the opinions expressed by our worthy inspectors, no doubt very sincerely on their part, but I am very far from concurring with them in much that they say.* But on the general question of the expediency or inexpediency, nay, I go farther, the safety or danger to Scotland, of retaining or abolishing the right of removal, I confess I entertain a very decided opinion."

There is one bit of evidence which bears so happily upon the foregoing subject of enquiry, that we cannot think of omitting it. Though the statement is made somewhat in complaint, it is eloquent in its testimony to that filial love for which the Irish have been ever pre-eminently distinguished—a social virtue not altogether compatible with coarse sensuality and low animal instincts. It is Sir John M'Neill who speaks.—

"Amongst the persons born in Ireland who have acquired a settlement in Scotland, there are a considerable number of a class of whom our parishes are much inclined to complain. For my own part I am not inclined to join in that complaint. These persons consist of the aged parents of persons who have moved from Ireland to Scotland, *who have occupied themselves industriously and settled themselves in Scotland, and who send for their parents and bring them over.* Those aged persons are maintained by their families until they have been long enough in Scotland to entitle them to a settlement, and then in most cases they become chargeable. * * * I do not complain of it, because although it throws what is perhaps an undue burthen upon our parishes, it arises from a feeling *so natural, so proper, so good in itself,* that I should be very sorry to throw any impediment in the way of their following that practice.

3013. Sir *R. Ferguson.*] Is there no power in the Scotch law to oblige the children of such parents to support them if they are able?—There is. They are by law bound to support them if they are able; but when they are taken into court to be compelled to do so, we find practically that our judges are very little disposed to compel a labouring man with a family, upon ordinary wages, to support his parents."

We do not altogether rely upon the statements of those parishes, which we admit are "much inclined to complain," and shall require some better proof, than their unsupported assertion, to believe that the affectionate, honest-hearted Irish labourer makes so noble an exertion, as this five years' support of a helpless parent of necessity involves, for the sole and simple object of placing that parent "on the parish" at the end of that time. The fair assumption is, that he supports his aged parent so long as he is able; and that when he fails to do so, it is his poverty and not his will that is to blame. Sir John is asked this question, which is creditable to him who puts it—

"3019. Sir *John Trollope.*] But, in your practical experience, have not *you generally found that the Irish are very much disposed to take care of their own kindred in their old age?*—It is to *that alone* that you can attribute their making the *exertion* which they have made. It is upon the ground of their attachment to their kindred, and the good feeling which is evinced by their desire to provide for their parents, that I am not disposed to object. They must maintain them for five years before they can become chargeable, and that implies *a very considerable amount of exertion on the part of a poor man;* and if he has love enough for his parents, and attachment enough to them to make that exertion for five years, our parishes must bear the consequences; I am not going to complain of it."

So much for the character of a much maligned race. Liverpool appears to be in a perfect flutter of apprehension at the bare idea of touching the power of removal. It is perpetually haunted by the ghost of the Irish Famine. Its sole Hibernian chronology is limited to the year 1847—that year governing all its calculations with respect to the state and condition of Ireland. If you point out to a Liverpool official a brighter day opening upon this country, he can only perceive the dark night of its calamity. If you direct his attention to the future, he directs your's to the past. Mr. Baines's bill filled the parochial mind of Liverpool with profound dismay,

as witness the petition to Parliament from the Select Vestry, given in evidence by its Chairman, the Rev. Mr. Campbell. They take care to tell the House the old story of the Irish "rush" in 1847—

"That in 1847, as *often* represented to your Honourable House, the pauperism of Ireland was relieved at the expense of Liverpool to a very enormous extent, by the immigration of destitute men, women, and children, in overwhelming numbers, who straightway applied to the parish for relief, and by their crowding into the low lodging-houses of the town, generated fever of a malignant character, which caused a most calamitous increase of mortality in the town, and the deaths of several of the medical and relieving officers; 47,194 persons (not to mention many thousands whose relief it was impossible to record in the outset of the crisis) cost the parish upwards of 70,000*l.* That this enormous expenditure, which was of a temporary character, has been succeeded by a permanent burthen of a still more oppressive kind, in the operation of the Five Years' Residence Act, which has increased the ordinary expenditure of the parish by 16,000*l.* a year in relief, given mainly to poor persons belonging to Ireland."

Admitting, as we freely may, that there is much truth in this statement as to a special and peculiar calamity, we regardeth following conclusion and prayer as absurd and selfish—

"*That the immigration of* 1847 *may*, by the favour of cheap transit and now by the additional privilege of irremovability, *be at any time repeated with the like calamitous results*; in short, *the burthen of relief to Irish paupers may*, under such circumstances, *be indefinitely transferred to the cost of the Liverpool rate-payers*, and by numbers nullify the application of the indoor labour test, considered to be one of the most valuable provisions of the Poor-law. Your petitioners, therefore, humbly pray that the *parish of Liverpool*, from its peculiar position, may be *exempted* from the operation of any act abrogating the compulsory removal of Irish poor; and your petitioners, as in duty bound, will ever pray."

We shall soon deal with the question of the possibility of a similar immigration to that complained of again taking place; but in the mean time we quote a piece of evidence which is rather calculated to strip the Liverpool statements, with respect to the magnitude of the relief afforded to starving Ireland, of much of their exaggeration. The Rev. Mr. Campbell is asked:—

"5249. Mr. *J. Ball.*] Can you form any estimate of the proportion of the whole population which is borne by the Irish?—Mr.

Rushton, in his time, stated it as *one-fourth;* my impression is that it would be *more than that.*

5250. That being the case, you have stated that the whole cost of relief for 10 years to Irish poor was about 124,000*l.*?—Yes.

5251. Has your attention been called to the fact, that the total expenditure for relief during that period was about 476,000*l.*?—*It has not.*

5252. That being the case, the proportion of relief to the Irish poor is *not materially greater than the proportion which they bear to the general population?—Very possibly.*

5253. Therefore the pauperism accompanying the Irish labouring population is only that share of pauperism which generally arises amongst the poorest classes, whatever their origin may be?—*Yes;* but then what will it be if the power of removal is taken away?

5254. It is not, therefore, the amount of relief which is now given, or has been given, that creates the main objection in your mind to a change of the law, but your apprehension of a different state of things if the law were changed?—My attention has not been directed to that. *I have not directed it to the proportions.*"

Considering that the attraction of the luxurious diet of an English Workhouse is omnipotent with an Irish stomach, the following deliberate statement of Mr. Evans, Relieving Officer, Liverpool, is somewhat curious—

"5377. Mr. *Maguire.*] There are altogether between 25,000 and 26,000 in four years; would you make the same statement, with reference to those which you have made as to the number passed within the six months, namely, that the *great majority* of them were *anxious and willing of their own accord to go over to Ireland?*—FOR THE LAST THREE YEARS DECIDEDLY.

5378. Then of 18,000, or thereabouts, within the last three years, *the majority* were decidedly anxious to go over to Ireland?—*They were.*

5379. And in the ordinary meaning of the word they were voluntary removals?—*In the ordinary meaning of the word they wished to go, and asked to go.*

5380. *Chairman.*] What class of persons were they?—*Men who had been in search of employment, and women very often with children, but who had been unsuccessful in this country.*"

Mr. Power, Chief Commissioner of Poor Laws in Ireland, and who has had a lengthened official connection with the administration of the law in England, is, to our mind, a far more reliable authority than a panic-stricken board of guardians; and Mr. Power's opinion is entitled to the highest respect—

"776. Sir *J. Young.*] Do you suppose that the amount which might be required for the relief of *the Irish in ordinary times in*

Liverpool, would bear *any unfair proportion to the amount of benefit derived from the labour of these people*?—I have stated that I think they might be relieved, at all events, *with as little expense as the labouring population in one of our large towns in Ireland*, but they are not so likely to contain so great a proportion of indigent persons; and the *same accommodation which is necessary in the large towns of Ireland, would be not more than would be necessary in Liverpool, and I think it is fair that Liverpool should provide that*; it is not just to the North Dublin Union that they should be removed there."

The alarm of rate-paying Liverpool is admirably portrayed in the evidence of the Rev. Mr Campbell, who, in spite of his knowledge and ability, cannot avoid falling into small perplexities such as the following:—

"5223. Mr. *Ball.*] You consider, upon the whole, that it would be a great evil in Liverpool, if the power of removal were taken away?—Yes.

"5224. And you think it just that it should be maintained?—I think it just that it should be maintained, *under proper restrictions to prevent hardship and inhuman removals.* I am anxious that that power should be retained as a precautionary measure, *in terrorem*, if I may venture to use the expression, *preventing anything like abuse*; I AM HARDLY ABLE TO SAY HOW THAT ABUSE SHOULD BE PREVENTED; I trust that it does not exist in the parish of Liverpool; but I think that the Legislature should take care that that power, if retained, should not be abused."

The law of removal existed in 1847 as well as it does now; and if our destitute poor wished to migrate from Ireland to England this year, there is no reason why they should not do now that which it was complained they did then. But that there is no such class going over at present, at least to Liverpool, let the authoritative answer given by Mr. Evans attest:—

"5324. *Chairman.*] Is there *any* class of persons coming over, who become chargeable *immediately* upon their arrival in Liverpool?—*Not at present.*"

Notwithstanding the fact that there is *no* class of Irish now coming over to Liverpool who become immediately chargeable, formidable rows of figures are paraded before the Committee to prove that Liverpool is still inundated with Irish misery; the real truth being, that Liverpool is the port through which the valuable stream of Irish labour—that labour which we have

been told by Englishmen is actually indispensable to their manufacturing and agricultural progress—flows into England. If we are to take for granted the returns for 1853, of the number of Irish brought over in that year, we shall come to the conclusion that no less than 71,353 "deck passengers, *apparently paupers*" not only arrived in England, but remained in the country. Fortunately, we are in a position to test the value of these valuable statistics. The returns presented to Parliament, and put in evidence before the Committee, were—

"Of the Number of IRISH POOR brought over Monthly to the Port of *Liverpool* from the Coast of *Ireland* in each of the last Five Years; distinguishing, as far as possible, those *who remain in this Country* from those who emigrate across the Seas:"

We shall confine ourselves to the return for 1853:—

1853:	Deck Passengers, Emigrants, Jobbers, &c.	Deck Passengers, *apparently Paupers.*	TOTAL.
January -	5,804	1,908	7,712
February -	9,844	3,473	13,317
March - -	16,863	3,480	20,343
April - -	19,523	6,677	26,200
May - -	21,691	9,229	30,920
June - -	17-814	24,492	42,306
July - -	13,357	9,228	22,585
August - -	17,805	7,117	24,922
September-	14,353	2,407	16,760
October -	13,079	1,451	14,530
November -	8,165	1,029	9,194
December -	4,001	862	4,863
TOTAL - -	162,299	71,353	233,652

The only question for us to consider is—what became of these 71,353 "apparent paupers?" We know the destiny of the emigrants, and the brief nature of the jobbers' sojourn. Perhaps the following authentic statement may throw some light upon the foregoing:—

Statement of the number of Deck Passengers from Dublin to Liverpool, and from Liverpool to Dublin, in each month of the year 1853, by the Vessels of the City of Dublin Steam Packet Company,—distinguishing the number who paid for their passage, from the number who did not.

Month. 1853:	Number of Deck Passengers from Dublin to Liverpool.			Number of Deck Passengers from Liverpool to Dublin.		
	Who paid for their passage.	Who did not pay for their passage.	Total.	Who paid for their passage.	Who did not pay for their passage.	Total.
	No. 1.	No. 2.		No. 3.	No. 4.	
January -	3,840	104	3,944	2,091	195	2,286
February -	6,495	135	7,230	1,620	206	1,826
March - -	8,678	329	9,007	1,896	188	2,084
April - -	10,586	38	10,624	2,344	240	2,584
May - -	13,365	268	14,233	3,649	226	3,875
June - -	21,255	497	21,752	4,409	245	4,654
July - -	10,074	258	11,532	4,910	288	5,198
August - -	11,900	180	12,630	10,433	307	10,740
September -	8,671	—	8,871	16,942	325	17,267
October - -	7,087	263	7,359	8,527	331	8,858
November -	2,950	—	3,950	4,988	367	5,355
December -	2,331	5	2,330	3,276	312	3,588
Total - -	108,232	2,027	114,059	65,085	3,230	68,315

No. 1.—Of the 108,232, in this column, 3,800 paid in Athlone, the remainder in Dublin

No. 2.—The number in this column are *Emigrants*, and are paid for *in London by the Government Emigration Commissioners*, and also includes 200 passages paid for by charitable Institutions.

No. 4.—The large number not paying *from* Liverpool must include paupers under removal.

Let us bear in mind that the first return embraces the entire *coast* of Ireland, while the latter is exclusively confined to the sailings from and back to a *single* Irish port; and we find that 65,085 persons, deck passengers, came back to Dublin by the vessels of the City of Dublin Steam Packet Company, and *paid for their own passages*. Deduct from this number any fair proportion for "jobbers," and what is the result? Necessarily, this —that the vast majority of the 71,353 who entered the port of Liverpool from *all* the ports of Ireland, returned by a *single* Irish port—and that a considerable number besides must have returned by *other* Irish ports, such as Belfast, Derry, Dublin, Waterford, and Cork.

The note appended by the Mayor of Liverpool is not without its significance, as it would seem by it that the object of the

"apparent paupers" in coming to Liverpool is "*to seek employment*"—

"THIS Return has been compiled from the information recorded in our Police-office, but its precise accuracy cannot be vouched for, and I am informed by our head constable, that there is little doubt that many of the persons who come to Liverpool intending to emigrate, abandon that intention *on procuring employment*, and that others whose *object is to seek employment determine to emigrate on failing to meet with work.*

The Return, as now made, however, contains the best information on the subject which I am enabled to afford.

27 April, 1854. (signed) *John B. Lloyd*, Mayor of Liverpool."

Were we not compelled to deal with some remaining points of great importance, we might show that no one of the ports of England is so much benefited by its connection with Ireland as Liverpool—through the hands of whose shipping agents, brokers, and traders generally, more than a million of money has passed almost every year since that calamitous period whose bare remembrance excites the nervous apprehension of its Select Vestry, and the horror of its zealous officials. But we must proceed with our task.

Even where the statistics of Irish poverty in the towns of England and Scotland are *bona fide*, they by no means prove any thing like what they are intended to prove. No one who has read the evidence bearing upon the character and description of Irish labour, which we have quoted, can be surprised when he hears that there must be much poverty and great misery amongst those who furnish it. If the human being were moulded of the same materials as a steam-engine, and if employment were as fixed and certain as the days of the week, then indeed we might less often hear of terrible accidents and melancholy decay—then might we have less frequently to sympathise with and assist the involuntary idle; but the bones of the very strongest man are fragile and liable to breakage, and his physical powers cannot for ever bear up against hard work and the varied influences to which he is exposed; and too many, besides those whose only capital is their labour, have bitter experience of the fluctuations of trade, and the vicissitudes to which all branches of national industry are subject. Thus there is nothing whatever to be wondered at in the fact, that the poorest and most laborious class in the community are most likely to impose the greatest burden on the parish. This point is thus fairly put to Mr. Adamson :—

"4401. Mr. *Ball.*] Do not the Scotch in Glasgow include persons of *all* classes, from the very richest to the very poorest?—*Of course they do.*

4402. Whereas the Irish are, with comparatively few exceptions, exclusively of the *poorest* class?—*The great bulk of them.*

4403. Therefore, supposing them upon equal terms in other respects, is it not to be expected that the proportion of pauperism *should be greater amongst the Irish than amongst the Scotch?—Undoubtedly;* that is the very thing which I was pointing out, that the burden which it throws upon Glasgow in respect of the Scotch poor we can remedy, *but if we could not remove the Irish we should have to bear it.*"

Before we consider the value of the improvements suggested in the law of removal by those gentlemen who insist on retaining it, and endeavour to satisfy our readers of their inutility or their danger, we must deal with an accusation which has been rather freely made by English witnesses—namely, that parties in Ireland, including Mayors, Magistrates, and Guardians, have entered into a common conspiracy throughout Ireland to ship their poor to England, "removed" poor as well as others. Mr. Cleaver, Clerk of the West Derby Guardians, is so convinced of the existence of this wide-spread conspiracy, and so impressed with the enormity of its object, that his *only* suggestion for the improvement of the law is to this effect:—

"I can see no objection at all to the present law of removal, nor can I offer any suggestion for *its improvement*, except that we might have *some penalties imposed on parties who afford facilities for the return of Irish paupers;* if *that* could be brought about I think it would be *a very desirable thing.*"

The only approach to an organized re-transmission was in Belfast; and the ideas entertained of its magnitude may be understood from the evidence of Mr. Smythe:—

"3491. Mr. *Maguire*] You talked of a charitable association at Belfast, and there has been a good deal said from time to time in this Committee about it; have you read the evidence of Dr. M'Gee in reference to that subject?—No.

3492. I suppose there was some alarm in your mind at hearing of this charitable association in Belfast?—No, there was no alarm in my mind; the matter was brought under our notice at the Board of Supervision, by the complaints that were made of these parties having been sent back.

3493. I presume you were under the idea that this charitable association had the administration of *considerable funds?—Yes.*

3494. Would you be very much surprised to hear that the *entire* funds at the disposal of that body, for the removal, or applied to the transmission, of paupers, either in Ireland, or from Ireland to any other place, were, for seven years, no more than £262?—*I*

should be very much surprised to hear it; I think they must manage their funds extremely well.

3495. And would you be surprised to hear that a *portion* of those funds *still remain in their hands?—I should;* the amount of the sum does not in any way affect the result which was produced, which was the transmission back to Glasgow.

3496. By the funds, or through the operations of that society?—It was so stated expressly in Mr. Senior's evidence; it was positively stated by Mr. Senior in a transcript from his evidence, which was forwarded to me by Mr. Stanley, that this association had been instrumental in sending 15,000 people from Belfast to their own localities, and that 295 persons had been reshipped from Belfast to Glasgow.

3497. But beyond those 295, have you any proof that any more were sent by that society?—*No.*

3498. Hearing of these gigantic operations, you are rather amazed to understand that the entire funds at their disposal for an object of that kind, spreading over a period of seven or eight years, were £260?—*I am very much amazed.*"

Dr. M'Gee had previously given a history of the association, its objects and operations; but the following extract from his examination is sufficient for the purpose of explanation:—

"2907. Mr. *Maguire.*] Can you give the Committee an idea what the amount of the *surplus* was at any time?—Yes. I will read a report, dated 6th January 1849.

2908. Sir *G. Grey.*] Was that when the surplus was ascertained; had the immediate objects for which that fund had been raised been then accomplished, and was it then ascertained that a certain surplus remained, to be disposed of at the discretion of the administrators of the fund?—As I stated before, the money was raised for a general relief fund for the poor of Ireland generally; a fund distinct from that for our own poor. We had no Government relief committee; 7,085*l.* 4*s.* 4*d.* was the gross sum subscribed as a general relief fund for Ireland exclusive of our soup kitchen.

2909. Mr. *J Ball.*] Subscribed in Belfast?—In Belfast; and some gentlemen not residing in Belfast subscribed; but I mean Belfast and the vicinity.

2910. Sir *R. Ferguson.*] What was the *balance* of that in January 1849?—There follows a table showing the amount of the various grants, amounting to 6,779*l.* 12*s.*, and a balance still remained of 260*l.* 6*s.* in 1849.

2914. Sir *G. Grey.*] Dealing with the balance only, are you aware whether any portion of that still remains?—*There is still some balance remaining.*

2915. Are you aware whether any fresh payments have been made towards that fund, in order to keep it alive for the purposes to which you have adverted?—*Certainly not; not a penny.*

2916. No fresh subscriptions have been received in addition to the surplus which existed in 1849?—*No fresh subscriptions.*

2917. Sir *R. Ferguson*] Then that 260*l.* has lasted them the five years?—I am not a member of the committee; I give this from a public report made at a meeting.

2918. *Chairman.*] Is that the *only* fund, so far as you know, from which payment has been made for these purposes of sending back paupers to England or Scotland?—*Yes.*"

Mr. Crawford, Poor Law Inspector, is asked :—

"2030. *Chairman.*] You have spoken of their getting back from Dublin; so far as you know, is there any association, or any combination in Dublin for the purpose of sending these people back?—I do not know of any combination; *such a thing has never come to my knowledge;* there have been one or two cases in which I have seen, I think, the *guardians subscribing among themselves* in order to give some money to enable a party to return.

2031. To send him back immediately?—I think some subscription has been made up *in some cases of peculiar hardship*; I have seen the guardians putting their hands into their pockets, and making some small collection for a party, but that has been very rare.

2032. For sending him off immediately back again?—Yes; they did not admit the party into the workhouse, but just gave some money into his hand.

2033. And they did that upon his statement, not upon any communication with England?—Yes.

2034. Mr. *G. A. Hamilton.*] From the circumstances, do you conceive it at all probable that the object of making this subscription was to save the union the cost of maintaining this person, or merely from humanity, under these circumstances of the case?—I think it was *humanity* which was the motive."

Constable Duross is examined as to the motive from which members of the Cork Board have subscribed.—

"1363. Mr. *Maguire.*] Is not the *sympathy* of the magistrates very frequently actively excited by the statements of these poor?—It is; *so much so, that they contribute out of their own private funds to send some of those people back*; since I have been in office they have sent several back.

1364. Are there *any public funds* by which these people are sent back?—*None whatever.*

1365. Is there any organised system of re-transmission?—*No.*

1366. *Chairman.*] You know of none?—Not that I know of.

1367. Mr. *Maguire.*] If such existed in Cork, should you not know of it?—I think that it could not be there without my knowledge.

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1372. Of your own knowledge do the magistrates ever send back any of those people without being impressed with the idea that, if they were sent back, they could support themselves in England?—*No, they would not send them back.*

1373. Would they not consider it an act of cruelty, in fact, to send them back?—*They would*; they have often spoken of the sufferings which they undergo on the passage.

1374. These people are so anxious to get back that they are quite willing to undergo the sufferings again?—They are."

Mr. Jameson, a member of the Cork Board, is quite competent to speak for his brother guardians, and his testimony is conclusive:—

"1214. Mr. *Maguire.*] Is it only *in extreme cases* that the guardians put their hands into their pockets, to provide for the re-transmission of those parties?—I have said that it has taken place *in five or six cases.*

1215. Do the guardians subscribe more from a feeling of sympathy excited by the facts of the cases as stated by the paupers, than from a desire to relieve the union of the burthen of their support?—*Decidedly from a feeling of sympathy.*

1216. And a desire to forward the helpless members of families to those who would be most able to protect them?—*Decidedly, and no other feeling whatsoever.*"

If corroboration were necessary, it is had in the testimony of the Governor of the Liverpool Workhouse, who had been previously Master of the Cork Workhouse:—

"5628. Mr. *Maguire.*] With reference to the Cork Board of Guardians, whenever any of its members combined in a private subscription for the purpose of sending over a person, are you not in a position to say that their motives were apparent from their language?—Yes.

5629. In all cases whenever there has been a collection made, were not the circumstances *closely investigated* by the gentlemen who did subscribe?—Yes, I think so.

5630. Are you not in a position to say, as far as your experience goes, that it was from *motives of humanity*, and *not from the mere desire to get rid of the pauper*, that those gentlemen did subscribe to send him to any other country?—*I do not say it was from a selfish motive; I myself think it was from motives of humanity that they did it; I have myself subscribed, and I know that my own motives were those of humanity.*"

Mr. Cleaver, of the West Derby Union, might deem a transgression of this kind worthy the notice of the Attorney General; but we may hope that the same Recording Angel who blotted out the venial error of mine *Uncle Toby*, may display a similar leniency to a kindred iniquity. So long as the poor are liable to be torn from the country in which they have formed new ties, and so long as such hardships are inflicted upon them as those which the law now permits, so long will there be found men fallible enough to sin against parish propriety.

Now as to the improvements suggested, supposing the power of removing the *Irish* to be retained, Sir John

M'Neill, as Chairman of the Board of Supervision, would thus amend the law :—

"In the first place, we should have made it imperative in removing a pauper by warrant, that he should be accompanied by a responsible removing officer ; by a man responsible for his proper treatment, who should deliver him at the union workhouse of the locality to which he belonged. I should have objected to remove him to what he stated was his native place. *I should have required his removal to the workhouse of the union in which that place was situated;* and I should have asked for authority to demand of the officers of that workhouse *an acknowledgment of the pauper's having been received.* I should desire that it should be required of the persons receiving the pauper to have him examined by the medical officer on his arrival, and that he should state whether or not it appeared to him that there were indications of the pauper's having suffered in his health from removal, having been improperly removed as regarded his health. I would desire also power require of our inspectorss before removing a pauper, to give to a union in England or in Ireland the same notice that is given to a parish in Scotland. I would require them to state in the notice the day on which they intended to remove the pauper, giving a reasonable interval for objection ; that is to say, for the interposition of the parties to whom the pauper was to be removed, to suspend the removal by an action at law, if they thought proper to apply for an interdict against the removal. I would then require the inspector to state the time of removal and the expected or anticipated time of arrival, and I would make it imperative upon the officers of the union workhouse where the pauper was delivered, to be prepared to receive him at that time, and to subject him immediately to medical examination, and to let the removing officer return with his certificate of the pauper's having been delivered in good condition; that is to say, delivered in such a condition that there was no indication of his having suffered from having been improperly removed."

Admitting the humanity of some of these proposed reforms, the main and leading suggestion is—that the Irish pauper should be removed, on the strength of his own or some other person's evidence, to the union of his alleged birth-place, whose officers should give a receipt for his body, and whose guardians should have the valuable privilege of fighting a splendid legal battle, at long range, either with the Scotch parish removing him, or the magistrates by whose decision he is removed. The scheme has something plausible in it, for Mr. Lindsay, of the North Dublin Board, suggests a like improvement, as an alternative—that is, in case the law is sternly retained; but he is too intelligent not to perceive the danger which would necessarily result from its being carried into execution. He is asked :—

"1660. *Chairman.*] Are there any alterations in the present law which you are prepared yourself to suggest to the Committee, as expedient for them to recommend?—It appears to me that, if the present law is to be continued, it would be but justice to the ratepayers of Dublin, and particularly the ports where people are sent to, that some person should be sent over in charge, and that that person in charge should deliver those people *to the union to which they belong;* but I do not mean to conceal from the Committee that I think *such a course would not only be attended with an enormous expense to English ratepayers, but also, I think, it would be defeated very frequently indeed,* because in Ireland, where people are sent over to various parts, in particular districts, *the same name prevails very much,* and they might take a party over to a particular place *and nobody might know anything at all about him. The registry of births I believe is rather deficient in many parts of Ireland,* and I think there would be very *great difficulty in getting any proof of a person's birth,* provided he had been out of the place for a long time, and it appears to me that there would be *very great difficulties in proving the place to which a party ought to be sent;* it would involve, I think, *more expense than the thing would be worth while,* and therefore it is that I think it would be *far better to do away with the system altogether,* and to relieve a poor destitute person wherever he is found destitute.

1661. Would you have no removals at all then from England?—*None.*

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1664. Would it be any improvement on the existing law that parties removed from England or Wales should be sent over with the depositions which were taken before the magistrates, and be sent to the nearest port as at present, and that then the authorities of that port should inquire into the circumstances of the cases, and be permitted to send the paupers on to the parish or union to which they belonged, and charge the expenses of such removal on the parish or union to which the parties might belong?—I think that that would certainly be a very much more equitable mode than exists at present, *but I am very much afraid that still the authorities of those Irish ports would find a great difficulty in proving that a party had a right to relief in any union in Ireland;* that is to say, in those cases, of which there are many, *where people have passed a great part of their lives in England,* and where *their friends have all dispersed and have emigrated,* or something or another, and that it would be *very difficult to fix such a person's chargeability upon any one union;* but of course in many cases, it could be done, no doubt."

The proposition is put to Mr. Power, Chief Commissioner, whose answer is most important:—

"701. Mr. *C. Bruce.*] Do not you think that the injustice to the port might be remedied with great justice if the pauper were sent on to *the parish of birth,* which is really chargeable, as we are in Scotland, to give relief to a destitute pauper?—Yes.

702. Would not that be very easily applied to Ireland?—It might be very easily applied to Ireland; *but you would then have a law of settlement and removal.* It would practically be a law of *settlement by birth*, and *the port authorities would remove. There must be the means of redress if it is wrong*; there must be *the power of appeal*, and we should have *a system of removal and settlement with litigation established, which I should be very sorry to see in Ireland*; and it would interfere very much with *our general rule*, which we are very anxious to support and to keep strict, namely, *that a person is relievable and chargeable wherever he becomes destitute.* That is the sort of objection which occurs to me against that remedy."

That the difficulty is not to be obviated by copies of depositions and notices, even Mr. Dore, Assistant Overseer, St. James's, Westminster, seems to be of opinion:—

"7453. *Chairman.*] There is one point in which, at present, you are aware that the practice in dealing with an English pauper is different from that in dealing with an Irish or Scotch pauper, as to giving notice to the parties to whom he is going, that he is about to be removed?—Yes.

7454. What do you say about that; would it be practicable?—*I think not; the distance is so great, that the difficulty would be very great to search out the settlement in Ireland.*"

Mr. Dore gives a more detailed reply to the following question:—

7481. "Sir *R. Ferguson.*] Would there be any difficulty in sending a copy of the depositions previously to the union to which these persons say that they belong in Ireland, so as to give them notice that such a family claims to belong to them?—The only difficulty I see *is the expense and litigation to which it might lead.* We are obliged to take *the statements of these persons, without any inquiry as to where they were born; it is not possible to be within our knowledg ewhere they were born*; we are obliged *to take their statements without making any inquiry.* That is not the case with an English pauper; we can get his statement corroborated by other evidence."

That the Scotch member who asks the following questions of Mr. Tubbs, the Marylebone officer, sees no difficulty whatever in compelling the Guardians of Belfast, Dublin, or Cork, to make out the birth-place of a Monaghan, Wexford, or Kerry pauper, is perfectly clear; not so however Mr. Tubbs, who declines giving any decided opinion upon the point, and wisely intimates the possibility of there being a different idea as to its justice at both sides of the Channel:—

"7225. *Mr. Archibald Hastie.*] Do not you think that if such a law passed, the moment an Irishman was sent to any place in Ireland,

he should be maintained *by the port* to which *he was sent* till *they* found out they parish to which he belonged?—I am not in a position to state.

7226. He being amongst his own countrymen, they knowing the habits of the people, and being better acquainted with the process by which the parish could be correctly ascertained, do not you think that *by placing the onus of finding the parish upon the first and nearest port in Ireland,* it would be the *best* mode of providing for the transmission of the pauper?—*The English union might consider so, but I think the Irishman would differ very widely.*

7227. Do not you think *that that is the most just way?*—I am not in a position to say."

The grand basis of the Irish Poor Law consists of two principles—that destitution gives an indefeasible right to relief; and that wherever the destitution occurs, there it should be relieved. There is no law of settlement in Ireland, and yet the Irish law has been submitted to the severest tests, and has stood the trial successfully. Mr. Power is a high authority upon this point:—

"780. *Mr. Ball.*] It has been found possible to work the poor law at a time when the relief given was very considerable indeed, without any provisions for removing the poor?—*Yes; it has worked, on the whole, I think, well, with very little impediment or objection on that score.*

781. And you would regard *any system of removal of the poor in Ireland* as likely to injure the operation of a law which has worked well upon the whole?—Yes; *I think it would impede the due administration of the relief of the poor.*

813. Mr. *Maguire.*] Do you not believe that the necessary operation of such a law would give rise to a good deal of jealousy and litigation, which would interfere with the beneficial operation of the law?—I think it would be *a great evil to introduce a settlement in Ireland.*"

The Earl of Donoughmore thus speaks of the Irish system:—

"The Irish Poor-law system is, in my opinion, *an admirable system. It works with great ease,* now that it is merely called upon to meet the ordinary pauperism of the country, and has not imposed upon it a task, which it was never calculated to fulfil, namely, the meeting a famine and a pestilence. The rates in the union with which I am connected, and I believe I can say the same with respect to a very large number of the unions in the south of Ireland, are *gradually decreasing;* and certainly I feel that in my district the poor-law taxation is becoming so moderate as to make me think that if a system similar to ours was adopted in England, the expenditure for poor relief would diminish in an equal proportion."

Mr. Lindsay bears testimony to the good feeling existing between the Irish unions, and gives his own opinion as to the propriety of introducing a law of settlement into Ireland :—

"1737. *Mr. Maguire.*] I was particularly struck with an answer which you gave to this effect, that there was no occasion to communicate between one Irish Board and another for the purpose *either of explanation or redress*,—is that the fact at the present moment?—I understood the question put to me to be about any poor people that might belong to another union, or something of that sort.

1738. Generally speaking, in fact, there is *a most friendly feeling between the different unions in Ireland at the present moment?—Very much so indeed.*

1739. There is no *litigation* between them?—*Not the slightest that I know of.*

1740. If a Law of Settlement were established in the country, would not it give rise to litigation in Ireland, as it has given rise to litigation in England?—I think so.

1741. And you would be very sorry to see that good feeling which at present exists done away, as it would be?—*Very sorry indeed.*"

Were it necessary, we might multiply testimony in proof of the evils which questions of disputed settlement entail upon parishes in England and Scotland—how there are whole libraries consisting of decisions, made and unmade, established and reversed, and how the worst possible feeling is engendered by these contemptible but costly squabbles; but we shall content ourselves with a mere glimpse, which we venture to anticipate will be quite sufficient for those who love peace and economy, and who have no peculiar taste for that profitless diversion, throwing away good money after bad.

One witness will suffice for Scotland, Mr. Gordon :—

"3699. Sir *J. Young.*] Supposing the law gives the power to recover, can it be set in motion without costs, or liability to costs, on the part of the party complaining?—*Certainly not; they must make up their minds to engage in the litigation. Questions of settlement as between parish and parish in Scotland are a very fertile source of litigation;* in fact, the consideration arising from that has been one circumstance, which has almost forced, I may say, upon several persons who have watched the operation of the law, the question, how far it may not be expedient to repeal the law of settlement, with the view of getting rid of all those questions.

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4641. *Mr. Maguire.*] You say that the question of settlement is very easily decided; would you be astonished to hear that there were 1,100 or 1,200 cases of disputed settlement last year in Scotland?—*I should not be surprised at all.*"

Mr. Power is asked:

"782. Mr. *Ball.*] With reference to any possible amendment in the system of appeals, would the common expense on appeals be very heavy?—As regards the appeals between England and Ireland, the proposition put to me of giving notice before the removal would materially diminish the risk of that.

783. But an Irish Board of Guardians could not protect themselves against a possible illegal removal, *without either employing a person in England, or sending a person from Ireland to England, to make inquiries and to examine into the case?—No, they could not.*

784. Would not that cause a very *considerable expense*?—It would cause expense."

Now the "notice before removal" is required by law to be given, and is given, by the parish removing to the parish removed to; and yet the cost of a parish appeal has reached the enormous sum here stated by Mr. Lumley, Secretary to the Poor Law Board:—

"288. Mr. *Maguire.*] Did you ever hear of a litigation between two parishes with reference to the removal of one pauper costing 100*l.*?—*Certainly.* I have had occasion to have bills relative to parish appeals under my notice, in which the costs have been *far more* than 100*l.*

289. What were they?—At this moment, as far as my recollection serves me, I can remember a case in which the costs were 350*l.*"

The Irish must be a far more litigious race than they have been represented to be, if they ambition the glory of defending a mess of porridge at so splendid a cost as 350*l.*

It was admitted by some of the English witnesses that considerable hardship must be inflicted on the poor by their being sent across the Channel in the winter months; but when one of those candid witnesses (Mr. T. Evans) was asked, whether the adoption of a rule of not sending them over in the winter season would not be an effectual cure of the evil? his answer was —"Yes, that would be an effectual cure for winter, *but we could not submit to that at all.*"

Believing, as we do, that neither an English nor a Scotch parish would voluntarily submit to suffer the slightest inconvenience out of sympathy or compassion for the Irish-born poor, still we are satisfied that, in adhering to the law of removal, they entail on themselves an evil of great magnitude, namely, the propagation and dissemination of malignant disease.

"6440. Mr. *Maguire.*] Dr. Alison has stated, that the threat of

removal operates injuriously, inasmuch as people who are sick are *afraid to apply for relief, and that fever is generated in those poor localities;* That applies to Scotland; but might not the same apply to *any large town in England?—Yes;* and I mention that in reference to what was stated by one of the witnesses, that *they have had fever in Manchester ever since* 1847, *when the power of removal was extensively applied, and a great many people, rather than be removed, remained in wretchedness, and disease was generated, which would not otherwise have been the case.*"

Having thus stated, with as much fulness as our space would fairly admit of, the nature of the law, the mode in which it is administered, the hardships which are necessarily consequent upon its operations, the serious evils which it inflicts on the individual and the community, the inestimable value of that labour which it tends to fetter and restrict, and the impracticable and dangerous character of the amendments suggested with a view to its improvement—we now come to inquire whether or not it may be safely repealed.

Mr. Pashley, a witness as impartial as intelligent, thus emphatically declares his belief in the perfect safety as well as justice of doing away with the power of removing *Irish* poor:—

"6393. *Chairman.*] With respect to the 8th and 9th Victoria, the present law, I asked you before whether you had formed an opinion as to how far it was practicable and desirable to do away with the power of removal?—*I think it might be done away with, with perfect safety,* and I think if there had been *no* legislation on the subject, and it had now been proposed to remove the Irish, *in the present condition of the two countries,* the proposition would have been *scouted throughout the whole country by every person whose opinion was worth listening to.* I know it is very different when you have the thing existing, and a *parish officer* has been asked to deal with the Irish in a certain way; he *looks upon doing away with removal as a thing which would shake the foundation of the system.* I think, myself, that it *may be abolished with perfect safety,* and that the alterations in the law which would be needed on its abolition are obvious and simple; but some would be needed, no doubt.

6394. Your original view, I think, was not quite consistent with this, as expressed in your work on Pauperism and Poor Laws?—I was there dealing with the removal of the *English* poor. I had not attended specially to the question of the Irish poor, and therefore I did not mean to say a word about it. I however, thought it necessary just to say a word in passing, and I said in an *obiter,* 'The removal of the Irish may be retained.' Now, although I proposed to abolish entirely the law of settlement and the removal of the English poor, and was of opinion that it would be a great matter of convenience in certain cases, I knew that there was generally a tendency to oppose it; that the great benefit of it would be felt in the agricultural districts in the first instance; and therefore from a wish

not to deal with the two questions, and thinking that the Irish removals might be retained at all events, I made the observation that they might be retained. My attention was very earnestly called to the matter by Lord Monteagle in a letter of great length upon the subject, and by one or two other persons, and I at once, upon certain facts being drawn to my attention, thought that *I was clearly wrong*, and immediately said so. Dr. Allison's pamphlet, on drawing my attention to the subject, *established this conclusion in my own mind, that every argument, or nearly so, which applies to the question of removing the English poor, applies also to the question of removing the Irish.* It is reasoning about what a good many people think is now established by the different inquiries which have been made upon the subject, that you ought not to do away with the removal of the English poor without showing, at the same time, that you ought not to remove the Irish. I may mention the ground which is taken by Adam Smith, and which is generally referred to in discussing this question of removing the poor, that it is contrary to natural justice to remove a man from a place where he is desirous of exercising his industry and comes to exercise it, and where he may have exercised it for half his life; *and I do not see how it is possible, on the ground of justice, to distinguish between the one case and the other.* At all events it would be at least *as just*, if you carried out that principle, *to put a Welshman under the same law as an Irishman, and to draw a line round Wales, and say that you would remove every Welshman to Wales, although you abolished the law, as to the removal of the English poor.*"

Mr. Pashley justly considers that there are causes in operation in Ireland which must necessarily tend to absorb a greater amount of labour, and compel those who require that labour to remunerate it more liberally than they have done hitherto:—

"6343. Mr. *Maguire.*] You are of opinion that the rate of wages will steadily improve in Ireland; does the operation of the encumbered Estates Act enter into your calculation?—Most undoubtedly, anything which tends to the better administration of property, must tend to the diminution of pauperism. You have in Ireland such a total want of property, and such an immense number of people, that you have an exaggeration of the evils which exist in very many other countries.

6438. Are you of opinion that the change of property to the amount of £13,000,000 from the hands of encumbered proprietors to those of unencumbered persons, must have a great effect upon employment?—*Certainly; I not only think so, but I think that it is an opinion in which every person who has considered seriously the main principles on which the welfare of society depends, and of political economy, must fully concur there can be no doubt about it.*

6439. Considering how long the farmers of Ireland have adhered to their practice of giving their labourers such very miserable wages as 6*d.* a day, are you of opinion, that the increase of those wages to 6*s.* a week, as stated in the last report of the Poor Law Commissioners, indicates such a change as would give rise to very great hope for

the future?—*I think so; and that arises in part from what you have* just mentioned, and in part from a diminution in the amount of the labour population. There is a smaller number of hands to find work for; and the consequence is that there is a greater difficulty in getting a labourer, and he must be paid."

This increase in the rate of Irish wages is regarded by Englishmen with very just disdain, though they unwisely overlook its importance as an indication of a better state of things for the future. It is in somewhat of this spirit that the Earl of Donoughmore is asked :—

"2300. Sir *G. Grey.*] While that comparatively low rate of wages remains in a large district of Ireland, do you think that there will be still a desire on the part of the able-bodied poor to come to England for employment?—*I think not; I think that the whole aspirations of the people are turned towards America,* and that they come to England as a temporary expedient, but as a temporary expedient only."

If the able-bodied poor of Ireland are not likely to go in any great numbers to England for employment, it is less likely that any number of Irish poor will go there for workhouse relief; and yet this is the deep-rooted apprehension which possesses the minds of nearly all the parish authorities of England and Scotland. With respect to the reasonableness of this apprehension, his Lordship is asked :—

"2327. Mr. *Maguire.*] Do you think, from your knowledge of the country, that it is probable that any large number of persons will go from Ireland to England for the purpose of begging?—Certainly not; the object with which they go is uniformly, so far as my experience goes, that of obtaining employment; and it is perfectly natural that, when the wages of an able-bodied man are so much higher in England than they are in the part of Ireland in which I live, they should go for employment. As to going for begging, I utterly disbelieve it. Persons may have gone for begging in the time of the famine, when the whole country was disorganised; but I have never heard of an instance of a person going to England for the purpose of begging."

Mr. Power, Chief Commissioner :—

"677. Mr. *Maguire.*] Taking all those circumstances into consideration, *putting yourself in the position of an Englishman,* do you think there is really any danger of a further influx of Irish paupers into this country?—*I should not fear any inconvenience from it at all if I was a ratepayer at Liverpool.*"

Mr. Crawford, Poor Law Inspector :—

"2089. From your knowledge of the state of the country, should

you dread any influx of Irsh paupers into this country in future?—*No, I should not decidedly;* certainly not from the part of Ireland with which I am connected."

Mr. Barrington, Vice-Chairman of the Limerick Union :—

"2561. Mr. *Maguire.*] Will you put yourself in the position of an *English ratepayer*, and give *a conscientious answer* to the Committee; if the law of removal were done away with, would you have any fear, from your knowledge of the country, that there would be a large number of Irish poor going over to England?—*No fear whatever; I am quite satisfied there would not be; if they were able to leave the country at all, it is not to England that they would go.*"

Mr. Power thinks that a stricter enforcement of the laws against vagrancy, and the application of the workhouse test, would be a sufficient protection. With reference to the former, he says :—

"617. *Chairman.*] In case of the repeal of the law of removal, you have stated that you consider that stringent provisions should be made against paupers coming over from Ireland to England?—Against destitute persons coming to England for the purpose of obtaining relief there.

618. How would you suggest the means of establishing a test to distinguish parties coming over for relief, and parties coming over for work?—It must be for the convicting magistrate to judge, under the circumstances, in whatever form the offence was defined; I cannot think of any better words than saying, that they come over *with the intention of obtaining relief*, and it would be then for the convicting magistrate to say whether they had come for the purpose of seeking relief."

As to the sufficiency of the workhouse test, Lord Donoughmore is asked :—

"2278. Mr. *G. A. Hamilton.*] Does your Lordship think that if the workhouse test was rigidly applied in England, it would have the effect of preventing Irish paupers from coming to England for the purpose of *obtaining relief?—Certainly I do.*"

Mr. Pashley has no doubt whatever as to its efficacy. His answer is also most valuable in reference to the feelings and habits of the Irish.

"6406. *Chairman.*] Are you aware whether the stricter system which they have in the Irish workhouses, and the absence of out-door relief, operate generally in the minds of the Irish poor, making them dread removal to Ireland?—*No, I do not think it is that.* I would remind the Committee of the inquries of Mr. George Nicholls, who was a Poor-law Commissioner, and who made the three reports on which the first Irish Poor-Law was founded. Mr. Nicholls was at great pains,

before that system was adopted, to ascertain what the effect of a workhouse was upon an Irishman, *and his inquiries were all in England.* I have found, when I have cross-questioned parochial officers upon it (I say cross-questioned, because one does not always get the full information on the first question), *that the Irish dread the workhouse more than the English*; when I have asked my informant as to giving up the power of removal, 'Supposing you administered your workhouse test in every case where you suspected that a man could do something for himself and would not, he being an idle lazy fellow, who did not deserve relief, what do you think would be the effect?' he has said, '*If you could bring him into the workhouse, it would be much the same thing as sending him to Ireland.*' I have no doubt that *the difference to the Irish would be the same;* Mr. Nicholls in 1834 and 1835 thought *an Irishman just as reluctant to enter an English workhouse as an English pauper;* it is not merely the *dietary,* because that probably is *a good deal better than he would get out of it, but there is a precise order and discipline which is kept up, which is extremely irksome to people who have not been accustomed to anything of the kind.* I have *no doubt* myself, that the *workhouse test* where you have a workhouse *would be amply sufficient.*"

The fact is, there is no adequate Workhouse accommodation in any of the large towns of England, suitable to the necessities of those who have a just if not a legal claim upon their assistance; and in Scotland, such accommodation is absolutely insufficient, as witness the replies given by the Chairman of the Board of Supervision :—

"3052. *Chairman.*] In what number of parishes in Scotland have you workhouses, in point of fact?—We have, in point of fact, in Scotland, 26 workhouses in operation.

3053. Out of how many parishes?—These workhouses are some of them workhouses of combinations of parishes; the number of parishes that have poorhouses, either singly or in combination, is 62, and when the poorhouses now in progress are completed, the number will be 88.

3054. What is your total number of parishes in Scotland?—Eight hundred and eighty-two.

3055. Then there are about 800 that have none?—*There are just about one in ten that have them.*"

Contrast this with the provision made for the relief of the poor in Ireland, as stated by the Chief Commissioner, Mr. Power :—

841. "Mr. *Maguire.*] How many unions are there established in Ireland at the present moment?—One hundred and sixty-three.

842. How many were there in 1847?—One hundred and thirty-one.

843. Therefore, there is a larger amount of provision to meet an emergency than there was in 1847?—Yes; there is a larger amount

of workhouse accommodation; *the present accommodation is about doubled.*

844. Union workhouses are much larger than they were; they have been extended, have they not in most cases?—*The original workhouses have been extended in almost all cases.*

845. And they are much *nearer to each other, and more accessible to the poor?—Yes, the area of the unions is less than it was.*"

Lord Donoughmore thus deals with the question of the capability of the Poor Law to meet a great national emergency such as that of the Famine, and also the probability of Ireland being afflicted with the same curse within a century:—

"2343. *Chairman.*] You had a set of new workhouses, too, all over the country, had you not?—We had; there is one workhouse at least in every union. By the Poor-law Act we have the power of increasing our accommodation indefinitely as we find occasion for it.

2344. *Mr. Maguire.*] The country, then, is in a better position to meet any extraordinary emergency than it was at the time of the famine, so far as poor-law relief is regarded?—I must always protest against the poor-law in any country being called upon to meet extraordinary emergencies. I think that the greatest possible mistake was made in calling upon the Irish poor-law system, in the autumn of 1847, to bear the whole weight of the famine. I believe that the present Irish poor-law system is nearly as perfect an organisation as we can have for the relief of ordinary destitution; but I should be very sorry, if it please Providence again to afflict Ireland with such a famine as we had in 1846 and 1847, to trust to the poor-law organisation alone for its relief.

2345. *Sir G. Grey.*] Then you think that in the event of the recurrence of such an emergency, there would still be, notwithstanding the perfect system of poor-law administration in Ireland, a great risk perhaps of an influx of paupers into Liverpool?—*I do not.*

2346. Your Lordship is aware that it is stated in evidence that within three months in 1847, 130,000 Irish paupers were landed at Liverpool. In the event, improbable we hope, of any such emergency arising again, if the poor-law is not to be relied on in Ireland, what other ground of confidence is there that a large number of paupers would not come to England for the purpose of obtaining relief, so as to overwhelm the workhouse accommodation of any place like Liverpool?—I must observe, in the first place, *that I do not contemplate such a horrible contingency as such another famine in Ireland as we had in* 1846 *and* 1847; I *do not think that Providence generally afflicts the same country with such a curse twice in the same century.* But the bearing of my last answer was simply this, that I think that *further measures* would be required *if* such a calamity did recur. *I have no doubt that those measures would be adopted,* and I am quite sure that the experience which our failures in the late famine have given us, would enable us to adopt, and to add, in fact, to the present poor-law system, *such an efficient system of*

relief as would render it perfectly unnecessary for the poor to leave the country.

2347. *Mr. Maguire.*] When your Lordship says that it is not likely that such a horrible contingency would again arise, of course you take into consideration the enormous diminution of the poor population of the country, do you not?—*That has diminished especially; and while the poor have diminished, the persons in easy circumstances have proportionably increased.*"

We shall now proceed to lay before the reader some few reasons why, in our honest and conscientious judgment, no such state of things as we had cause to deplore from 1846 to 1850, can ever again be witnessed in this country—or at least within the next half century; a period sufficiently remote to satisfy the most nervously apprehensive English or Scotch parish official.

To be able to comprehend, in any degree, the nature or extent of that great national calamity, it is absolutely necessary to bear certain facts in mind,—that in the year 46-47, the population of Ireland must have been much nearer to *nine* than eight millions of souls; that the entire social fabric was rotten at its very foundation; and that it owed its temporary uprightness to that most uncertain of all supports—the *potato*. Upon this frail root, liable to every atmospheric influence, and bearing within it the ready elements of decay, almost every interest and class in Ireland rested in blind and fatal confidence, and did so notwithstanding that terrible warnings had been given in previous disasters. With the aid of this feeble but abundant esculent, the landlord, who had inherited debts as well as acres, was able to keep his head above water, and, by an occasional tightening of the screw on his tenants, just satisfy the demands of his creditors, who for years past enjoyed by far the best part of his estate. The potato satisfied the claim of the mortgagee and the incumbrancer, and kept the bailiff and the sheriff's officer from the door of the "great house." To the tenant, it was next to everything: it fed his cattle, his pigs, his poultry; it fed his family and his servants; it mainly helped to pay his rent; it enabled him to bear up against the screw to which, oftentimes, the necessities rather than the will of his landlord subjected him; and, it must be said, it also afforded him the means of putting the screw upon the most numerous and most helpless of all classes in the community—the agricultural labourers, of whom it was justly said, that they were the worst fed, the worst clad, and the worst housed of any similar

class in Europe. With a rare exception, these latter depended nearly altogether, for their own support and that of their families, upon the produce of the acre or half acre of "garden" which they rented, or were allowed in part payment of the scanty wages then universally given. With the produce of this "bit of garden," they paid the rent of their cabin, where the cabin was not included in their agreement with the farmer, and reared a pig and a few fowl, and thus struggled on, happy and contented if they could procure two meals a-day of their favourite food, moistened with a drop of skimmed milk, or rarely made more palatable by a salt herring or morsel of dried ling; and if they could purchase "the makings" of a Sunday suit for themselves and "the good woman," to do fitting honour to the Lord's Day.

It was upon a people so circumstanced that the terrible blow of '46, '47, and '48 fell with crushing force and appalling consequences. The prop of the whole social edifice crumbled away in rottenness, and down tumbled all those interests of which it was the temporary support. It was in '47-'48 that ruin and despair were at their height. The food of millions, of the mass of the population, was utterly destroyed, and with it their means of existence. The farmer and the cottier dug their fields and their gardens in vain,—the turned-up earth revealed either bulbs as diminutive as playing-marbles, or a heap of offensive rottenness. The world knows the awful result of this calamitous blight. The population became the prey of famine and pestilence, the one as deadly as the other. All the bonds of society were loosed, and the nation drifted wildly to and fro, full of terror and despair. The country rushed upon the town, and thousands fled in dismay from the shores of an island, over which a visible curse seemed suspended. Death was everywhere—in the cabin, in the hovel, on the road-side, on the hill-side, in the ditch. If a horse shied at some object on the highway, it was probably at a mouldering corpse—no, a fleshless skeleton—the miserable remains of some poor wretch who had failed to drag his emaciated frame any farther, and had yielded up his soul to God beneath the canopy of a frowning heaven. If a number of people obstructed the pathway in the midst of a city, it was a gaunt man or wasted woman that was dying of hunger, that was actually drawing the last breath in the presence of an awe-struck crowd. Yawning pits, not graves, were opened—and into these, as in Naples

or in London, when these cities were stricken with the Plague, were flung the bodies of father, mother, children; for those whom hunger spared, pestilence slew. The workhouses were choked, and so were their grave-yards; for thousands came in to die—to secure to their mortal remains the decency of Christian sepulture—a few frail planks tacked together, and a pauper's burial place! At least they were saved from the fangs of the starving dog, and that was much. In such a moment, who could give employment to the labouring poor?—Not the gentleman in his domain, for his resources were exhausted, and he was already ruined—not the farmer; for where was he to find food, or money to buy it? And so the labouring population was imperfectly relieved by doles of meal, or employed by Government on works which were as fatal to thousands as they were profitless to the country. Is it then to be wondered at that there was a rush to other countries?—that Irish misery made itself known in the streets of Liverpool, and that its cry was heard even in the squares of London?

Statistics do not at all times give an accurate notion of the condition of a people; but we feel satisfied we have at our command such figures as will not only assist the reader in forming a clearer notion of the horrors of the past, but satisfy his mind at least upon one point—at which we confess we steadily aim,—that a future pauper "rush" to England or Scotland is next to impossible. We may remark, it is a mistake to suppose that the worst had passed with the year 1847, as it was only in that year the worst began. We shall give the official returns of the number of persons relieved, in doors and out of doors, in the years 1848 and 1849—

	1848	1849
In-door . . .	610,463	932,284
Out-door . .	1,433,042	1,210,042
Total . .	2,043,505	2,142,766

Since the latter year there has been a rapid decrease. In the year 1852, the total number relieved in the workhouses of Ireland, was 504,864, and out of-doors, 14,911—or *one-fourth* of the numbers relieved in 1849.

If we come to the 29th of April 1854, we shall find a still greater reduction; for on that day the number of persons re-

ceiving relief in the workhouses of Ireland, was but 103,284, and the total number receiving out-door relief, 1,483. And by the latest returns in our possession, namely to the 7th of October, 1854, we have this extraordinary fact, that the total number of inmates in the 163 workhouses was but 66,757, and but 934 receiving relief out of-doors—or a total of about *one per cent. of the entire population.*

To render these returns more striking still, we must add the following :—

RETURN of the Number of Able-bodied Inmates of the Workhouses in *Ireland*, in the last Week of April in Five successive Years, beginning with the Year 1850.

YEAR.	Able-bodied Males.	Able-bodied Females.	Total.
1850 - -	24,934	61,904	86,838
1851 - -	23,195	61,284	84,479
1852 - -	16,781	44,042	60,823
1853 - -	11,818	31,808	43,626
1854 - -	7,804	21,598	29,402

As compared to the total for April 1850, the total for April 1854 is most cheering; but on referring to the number in the workhouses of the country on the 7th of October 1854, the progress towards improvement is even more strikingly marked—as the number of "able-bodied" males and females had fallen off from 29,402, to 13,486. On the 29th of April 1854, the number of able-bodied males were 7,585; and on the 7th of October 1854, this small number had fallen to 3,829—just *one-half.*

Let us now endeavour to account for this extraordinary change; and we do so by the diminution of the population, through death and emigration, and by the greater demand for labour.

In 1841, the population of Ireland was	8,175,124
and in 1851, it was but	6,551,574
Shewing a positive decrease of ...	1,623,154

Nor do these figures give an accurate idea of the decrease of the population up to this moment; as, in order to arrive at a fair estimate of the actual number of people of whom Ireland has been deprived, through one cause or other, since the census was taken in 1841, to January 1854, we must make a fair allowance for the increase of population from 1841 to 1846, and also find out, if possible, how many persons left the country within the three years subsequent to March 1851. We might fairly add, at the very least, 300,000 for the *increase;* and we have proof positive that the emigration from Ireland for the years 1851, 1852, and 1853, was no less than 678,926 souls. Say, then, that the population of Ireland was—

in 1846	8,500,000
in 1851	6,551,574
in 1854 (less than in 1851, by 687,926)	5,863,648

and we find that there has been an actual loss of not less than 2,600,000 within a period of eight years. The numbers emigrating for the three years were as follows:—

1851	254,537
1852	224,997
1853	199,392

It may be said that this emigration drain will not continue. We heartily wish we might be able to believe it would not; but our fear is that it will, though, of course, in a diminished stream, yet sufficiently full to affect injuriously a country which has suffered so much from this unexampled national blood-letting. In fact, Ireland is no longer entirely at the one side of the Atlantic; it exists as well along its Western seaboard, by the banks of its mighty rivers, and along the shores of its glorious lakes—and to that land, of almost unlimited extent and virgin resources, the voice of affection is calling the young, the strong, and the energetic. Witness this astounding fact, that in six years, from 1848 to 1853, those who have already gone to America have sent, out of their hard earnings, no less than £5,790,000 to their relatives at home—and sent it principally with the one object, that of paying for their passage out. The following details are supplied by the Emigration Commissioners, of sums sent through banking houses and other known channels, not including monies sent through private sources:—

In 1848	upwards of	460,000
1849	„	540,000
1850	„	957,000
1851	„	990,000
1852	„	1,404,000
1853	„	1,439,000

We shall not stop to say how this matchless example of devoted affection, how this wonderful evidence of the most generous self-sacrifice, brands, as the foulest calumny, the description given of the poor Irish by a Scotch official; nor need we pause to suggest of how many sources of self-gratification and self-indulgence, the people who sent this enormous sum of money must have deprived themselves—with what purpose?—to draw together the broken bonds of family affection, broken it might be, but neither destroyed nor weakened. We shall only remark that so long as those who now form part of the American population continue to exist there, so long will emigration be a resource for the restless and the adventurous, and a resistless attraction to the yearning and affectionate heart of the Irish peasant.

We shall, in a moment, shew how this constant drain is telling upon the labour market; but previously to doing so, we may briefly allude to another influencing cause,—perhaps more prospective than retrospective, of the future more than of the past—the transfer of property to a new class of proprietors, through the operation of the Court of Encumbered Estates.

It is not necessary, at this hour, that we should describe the painfully anomalous position of the nominal owner of a vast estate; or the miserable condition of that estate, eaten up by debts, over-ridden by mortgages, weighed down by incumbrances, and teeming with hundreds, perhaps thousands, of human beings; acres and human beings alike the victims of a common calamity—the Court of Chancery—than which no Upas tree, fabled or real, was ever more blighting or more deadly. Landlords, tenants, and soil, equally suffer from the baleful influence of Chancery, which is only beneficial to the receiver, the driver, the pound-keeper, and the lawyer. We cannot stay to write the history of an estate that has been committed to the custody of the Lord High Chancellor; but if we did sit down to write it, we could best trace it in the scalding tears of bruised and broken hearts, in the sighs and

groans of the beggared and the ruined. Sufficient for us to say, that if it were our desire to deliver up a country to the direst calamity, worse than the dominion of an infuriate conqueror, we should hand it over to a Court of Chancery.

That a more unpropitious time could not be selected for flinging a mass of property upon the market, than the period at which the hammer fell for the first time in the Court in Henrietta-street, it is scarcely possible to imagine. It was, in fact, a season of panic and prostration, the country being literally in the condition of a sick man just risen from a bed of fever, and barely able to totter to the nearest couch. However, let that be as it may, we have to state that the first petition was filed on the 21st of October 1849; since when, to the 24th of September 1854, the number of absolute orders for sale has been 2,251; and these sales have produced a gross sum of £13,509,293 : 3 : 5. In reference to this enormous amount of property, the following particulars will be read with interest, and may be relied on, as they are furnished from the "Statistics' Office" attached to the Court :—

Number of petitions presented, including those for partition and exchange as well as for sale		3320
Of the above about 470 were supplemental or dismissed petitions.		
Number of absolute orders for sale		2521
Number of matters in which owners were bankrupts or insolvents when petitions were presented		309
In many other instances the owners of estates became insolvents or bankrupts during the progress of the matter, and the proceedings were subsequently carried on in the names of the assignees.		
Number of matters in which owners presented petitions ...		823
Number of conveyances executed by the commissioners ...		4301
Number of owners of estates (or parts of estates) sold, viz. :—		
By public auction in court	920	
By provincial auction confirmed by the commissioners	278	
By private contract, confirmed by the commissioners	193	
		1391
Number of purchasers of estates (or parts of estates) sold		5612
Number of lots sold, viz. :—		
By public auction in court	4807	
By provincial auction	1049	
By private contract	1292	
		7148
Number of accounts opened in the Accountant's Office ...		1307

Number of boxes in which it is estimated there are (or have been) 100,000 documents and muniments of title deposited in the Record Office	2093

The delights of Chancery are strikingly illustrated by this refreshing picture :—

Period during which Proceedings had been pending in the Court of Chancery in cases brought into the Incumbered Estates Court, as furnished to the House of Commons by Order dated 28th April, 1853 :

Over 3 and under 5 years	219	
Over 5 and under 10 years	364	
Over 10 and under 15 years	167	
Over 15 and under 20 years	89	
Over 20 and under 25 years	46	
Over 25 and under 30 years	31	
Over 30 and under 35 years	22	
Over 35 and under 40 years	17	
Over 40 and under 45 years	6	
Over 45 and under 50 years	4	
Over 50 years	9	
		974

Happy estates, happy owners, happy tenants, happy labourers! The following concludes all the information which it is necessary to give :—

Amount of purchase money paid by *English, Scotch and foreign parties*	£2,249,040	12	6
Gross proceeds of sales :			
By public auction in court	£9,163,348	2	8
By provincial auctions, confirmed by the commissioners	2,014,698	10	0
By private contract, confirmed by the commissioners	2,331,246	10	9
	£13,509,293	3	5
Distribution of Funds :			
Gross amount of money distributed in cash and stock	£9,236,811	13	9
Total amount of absolute credits allowed to incumbrancers who were purchasers ...	1,390,822	5	8
	* £10,627,633	19	5

* The difference between the amount realised by the sales and the funds distributed is thus accounted for :—Funds allocated in trust, where some of the trustees have died ; provisional credits, not yet made abso-

Here, then, we have the most important fact—that property to the enormous value of £13,500,000 has been transferred from the hands of 1391 persons, whose position rendered them incompetent to its proper management, to the hands of 5,612 persons who are capable of managing it with the energy of unembarrassed owners, and with that wisdom and liberality which the disasters of the past must have abundantly taught. For every *one* former shackled and disabled owner of so much Irish soil, there are now *four* free and unfettered proprietors, —some few of them, we must admit, who bring to their duties narrow and illiberal notions, the result of that penury of soul through which the purchase-money was hoarded up, shilling after shilling, and pound after pound, and who regard the human beings committed to their care only as the means of making so much per cent. of their money,—others of them who have amassed their money by fair industry and honourable trade, and who bring to the management of property those liberal notions, and that spirit of enterprise, which trading and mercantile pursuits preeminently encourage,—many more of them careful, thrifty, and prosperous proprietors, who, having managed their patrimonial estates well, were able to lay aside the means of extending their possessions and enhancing their social position. It would be a waste of time to prove that such a change must be beneficial to all classes of the community, especially in promoting the employment of labour; and we shall only remark, that for so much property as is now in the possession of a new race of proprietors, all that is required, in order to render those dependant upon it thriving and contented, is the satisfactory settlement of the land question by the wisdom of the legislature.

The following, which we take from the Seventh Annual Report of the Commissioners of Poor Laws in Ireland, will shew that the money value of agricultural labour has materially increased, and, more important still, that agricultural employment is much more *continuous* than it had been :—

"18. We mentioned in the 15th paragraph of our last Report

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lute'; payments already ordered by the commissioners, and not called for by the parties entitled thereto; the purchase money of recent sales, not yet lodged; the balance of cash and government stock standing to the credit of the commissioners in the Bank of Ireland.

C. M. ORMSBY.

Statistics' Office, Incumbered Estates Court,
25th September, 1854.

that, according to certain returns contained in the Appendix to that Report, there were very few departments of labour in Ireland in which the money-rate of wages was higher in the beginning of 1853 than it was in 1845, the year before the commencement of the famine. We have lately referred to our Inspectors for further information on this point; and it may be stated, as *the combined result of their reports*, that there is *now* observable a *material increase* in the *money value of agricultural labour*, to the extent of about 1*s.* per week on the average, throughout Ireland. It seems, also, *that agricultural employment has been more continuous than formerly*. It would appear also that in most parts of the country the wages of artizan tradesmen have improved in a still higher ratio than those of the common labourers. The result of this inquiry is more fully set forth in our correspondence with the Emigration Commissioners, which will be found in the Appendix.

19. This improvement in the general rate of wages, together with a more continuous state of employment, accounts for the absence of an increased pressure on the Irish Workhouses, *which might have been expected from the material rise which has taken place in the prices of food since the date of our last Report*. As the food accessible to the peasantry is much the same as that provided in the Workhouses, the enhanced price of food to the labourer will be seen from the following series of the weekly prices of maintenance in the Workhouses, which shows that within a very short period from the 29th September, 1853, to the 22nd of April, 1854, the cost of food alone has increased from 1*s.* 2½*d.* to 1*s.* 9*d.* per week."

We select a few extracts from the reports of the Poor Law Inspectors which are given in the appendix.

Mr. Lucas, writing on the 24th of April, 1854, of the County Clare, so notorious for the horrors of Kilrush, says:—

"The demand for labour is increasing, and becoming *more permanent and steady in its character*. This may be attributed to *the improved condition of the employers*, and the *drain from emigration*."

Mr. HALL.—*23rd April*, 1854.

District comprised in the County of Cork.

"A *considerable rise* has taken place in the wages paid for almost every description of labour; but in the case of agricultural labourers and the less highly-paid mechanics, the increase has scarcely exceeded the increase in the price of food. Employment is, however, *more readily obtained by these classes, and its continuance is more certain*."

Mr. ROBINSON.—*24th April*, 1854.

District comprised in the Counties of Limerick and Kerry.

"Emigration is acting favourably on the labour market, both in regard to the increased demand for labour and the *continuous employment afforded*."

Mr. W. Hamilton.—*20th April*, 1854.

District comprised in the Counties of Kilkenny, Wexford, and Waterford.

"Emigration has reduced the numbers in the Workhouses, and insured work for those who remain."

Mr. Husand.—*29th April*, 1854.

District comprised in the Counties of Galway and Mayo.

"More than usual activity prevails among all classes of labourers and artizans."

Mr. O'Brien.—*25th April*, 1854.

District comprised in the Counties of Westmeath, Longford, King's, Roscommon, Leitrim, and Galway.

"*The tendency to advance*, which he observed on, in forwarding the Return of last year, has since developed itself *very decidedly*, especially in the case of *agricultural labour*—a result which is to be referred to the circumstance that this class has been affected more than any other by the *Emigration Movement*, &c."

We conclude our extracts with the following:—

Mr. Horsely.—*19th April*, 1854.

District comprised in the Counties of Kerry and Cork.

"During the busiest period of the present season, the supply of really able-bodied and otherwise good agricultural labourers *has been extremely limited, and labourers who would scarcely have been ranked as such, in former years, readily find employment at moderate wages.* The drain of able-bodied male labourers by emigration has been the chief cause of this; and there is *but little appearance of that drain receiving any check, judging by the desire for emigration which is evinced by the people themselves*, and the large sums remitted for that purpose by relations who have already emigrated."

Where, we confidently ask any candid Englishman, Scotchman, or Welshman, who has read these statements, is the danger of another Irish rush to their shores, to their towns and their fields? From whence are those apprehended hordes of hungry people to come? Although wages are still much too moderate in Ireland—far below the standard we hope to see them ere another year—and provisions too high, still there are not 500 *really* able-bodied men, nor anything like that number, in the work-houses of Ireland, which were at one period—in 1848, 1849, 1850, and 1851,—crowded with that very class. We well know that many Irishmen of sound sense and prudent calcu-

lation have their apprehensions—not that there will not be sufficient employment in the country for its labouring population, but that the population will not be equal to the employment—that, in fact, there will be, ere long, a positive dearth of labour in Ireland, to till her soil, and gather in her harvests. Whether these anticipations are likely to be realized, we feel perfectly certain of one thing—that the anticipations of our alarmed friends of the sister countries will never be realised, at least in their time.

We may now, we think, assume, fairly and without presumption, that we have proved our case,—that the law of removal is that odious and unnatural law which should not be allowed to remain on the statute-book of a Christian people,—that it presses more harshly, severely, and cruelly upon the Irish-born poor than upon any others who are liable to its operation,—that any so-called improvements would be merely illusory as far as respects the poor, and would entail new grievances upon this country,—that it can only be mended by being totally abolished,—and that all those apprehensions as to the evils which would result from its abolition, have no real foundation, and totally disappear on investigation. And having established our case, let us say a few words, in conclusion, as to the feeling now entertained in Ireland against the power of removal, and which would be certain to be entertained if the promised repeal be not absolute as well as impartial.

The Earl of Donoughmore bears testimony to the feeling entertained in Ireland.

"2332. *Mr. Maguire.*] What is the feeling entertained towards the present law and its restrictions in Ireland?—*There is but one feeling upon the subject, it is this, that we are not put upon an equality with England; that we are working at a disadvantage.*

2333. *Sir G. Grey.*] In what respect is the inequality complained of?—With reference to the present system, I understand the question to be—it is simply this: if an Englishman or Scotchman, or in fact a native of any country in the world, becomes destitute in Ireland, we must relieve him, whenever he becomes destitute, and we are prohibited from removing him.

2334. Is not that rather an inequality in theory than in practice?—I have heard that objection before, but it is not entirely an inequality in theory only. Cases do occur in which Englishmen are relieved by the Irish Poor-law. Some cases occur in my union; I cannot say many, because the union is in a retired rural district, not much in the way of passage; but there are the cases of such people as sailors going from an Irish port, to an English port, and becoming destitute upon the way; and the wives and children of

soldiers who are left in garrison towns by regiments proceeding on foreign service; cases of that sort do occur."

The Belfast Guardians say, in their petition to Parliament—

"That your petitioners observing that a Bill was about to be brought before your Honourable House for the repeal of the laws of settlement, hailed the commencement of the measure as one highly beneficial, and calculated to remove their just grounds of complaint. Petitioners now learn with great regret, that it is not intended at present to extend to Ireland and Scotland the provisions of the proposed Bill. In conclusion, your petitioners pray that your Honourable House will, *as the only effectual means of removing the evils arising from the present state of the laws relating to the poor, be pleased totally and entirely to repeal the laws of settlement and removal.*"

Mr. Lindsay, of the North Dublin Board, is asked:—

"1755. Mr. *Maguire.*] That is, even as it is at present; but supposing the law were abrogated in this country, and continued so far as Ireland is concerned, what would be the feeling?—I think that that would be *very unjustifiable indeed; I should hope that no such law would ever find favour in the British Parliament.*

1756. Upon mature consideration, you then give it as your opinion that the best possible thing which the Legislature can do, is to repeal the law as far as both countries are regarded?—*That is my impression.*

1757. And that no amount of emendation can cure the radical evils which would result from even a modification of the law?—*I think so.*"

Mr. Jameson, of the Cork Board, says:—

"We have a good many English at this moment in our house, and we are supporting English paupers who have been taken ill in Cork, who are soldiers' wives; Cork is a great port of embarkation, and when the regiments are embarking, the wife and child of the English soldier are left there. The law obliges us to take them, and we obey the law; there is no law of settlement."

Mr. Barrington, of the Limerick Board, is asked:—

"2558. Mr. *Maguire.*] What is the feeling entertained towards the present law of removal in your union?—*It is quite detested,* the English Boards of Guardians having the power of sending over paupers to Ireland, and the Boards in Ireland not having the same power.

2559. If the law of removal were done away with in this country as between parish and parish, and preserved as between England and Ireland, what would be the feeling generally about it; would it be very strong?—*Very strong; it would be a feeling of injustice.*

2560. Gross injustice?—*Gross injustice.*"

Mr. Devereux, of the Waterford Board, is also asked:—

"2632. Mr. *Maguire.*] What is the feeling entertained towards

the law of removal in your union?—*There is a very strong feeling against it.*

2633. If it were done away with in this country, and retained as far as Ireland is regarded, what would be the feeling?—*It would be looked upon as great partiality; very partial legislation.*"

Mr. Crawford, Poor Law Inspector, is examined:—

"2027. *Chairman.*] Have you any suggestions with regard to the alteration of the law, which you wish to lay before the Committee?—My opinion certainly is, that if the law of settlement is altered in England there will be *a very strong feeling in Ireland if the law is left in its present condition*, allowing parties to be sent back to Ireland when the same power is not given to send back parties to their own parishes in England."

Mr. Power, Chief Commissioner:—

"664. Mr. *Maguire.*] Is there a very strong feeling entertained amongst all classes of people in Ireland, as to the injustice of this law?—A *very strong feeling.*

667. If the law of removal were repealed, so far as England and Wales were concerned, what do you think the feeling of Ireland would be, if it were not repealed, so far as the Irish poor in England were concerned; if the change contemplated the other day by Mr. Baines were carried out, what would be the feeling in Ireland if Ireland were not included?—*I have no doubt that it would aggravate the feeling.*"

Mr. Power gives the following emphatic reply:—

"688. Assuming that the law was never exceeded, and that the parish authorities in England acted strictly upon the letter of the law, do you not think that there are so many evils necessarily incident to the operation of that law as ought induce any humane legislature to repeal it?—*I certainly think it would be in the interests of humanity, as well as of general policy, to repeal the law.*"

And Mr. Crawford adds—"I am decidedly in favour of repealing the present law of removal."

Were it only for its singularity, the fair and manly reply of Mr. C. H. Rickards, senior Vice-Chairman of the Manchester Board, is worth quoting. Save Mr. Pashley, and Mr. Gordon, of Edinburgh, who are both for the abolition of the law, Mr. Rickards is almost the only one of the witnesses representing the Scotch or English interest, who insists on fair play for the Irish. He is asked:—

"6376. Mr. *Maguire.*] If the law were abrogated as far as the Englishman was regarded, do you think it fair that the law should still exist as far as the Irishman was regarded?—*My desire is to apply the same rules to the Irish as to the English.*

6377. If it were thought expedient that the law should be abolished, as far as the English were regarded, you, in your spirit of fairness, would not think it should be retained as far as the Irish were regarded?—*Certainly not.*"

Dr. Alison has been alluded to, more than once, by Mr. Gordon and Mr. Pashley; by the latter as the correspondent who was the cause of his conversion to the larger and fairer view of the question. At the time that Dr. Alison read a paper on "the Law of Settlement and Removal of Paupers in Scotland," at a meeting of the British Association in Belfast, which was in September 1852, Mr. Pashley still held the opinion that the law, though repealed in favour of the Englishman, might be retained against the Irishman; and Dr. Alison, referring to this opinion of Mr. Pashley, thus concludes a very able and interesting paper:—

"I have quoted from Mr. Pashley, as the text on which both he and I have been commenting, the sentiment of Adam Smith—which I rejoice to find that he says 'expresses the views of the great majority of those who are now brought into daily contact with the administration of relief to the poor in England,'—that 'to remove a man, or the family or dependents of a man, who has commited no misdemeanour, from the parish where he chooses to reside, is a violation of *natural liberty and justice*;' and that of Sir Robert Peel, that, by removing a poor labourer who has been invited to a manufacturing town, and exercised his industry there, when he becomes a pauper, back to the rural district whence he came, 'to his great annoyance and suffering, is not only to inflict a great injustice on the rural districts, but is to give *a shock to the feelings of every just and humane man.*' But surely, if this be true, and nationally important, as to any Welshman who has been invited in the course of the natural circulation of labour into England, it must *be equally true and more nationally important, (because it is a more common case)* of every Scotchman who has been so invited into England, and of every Irishman who has been so invited into Scotland.

And if it be true, as Mr. Pashley confidently and I hope justly predicts, that the law of settlement and removal in England, 'denounced nearly a century ago by Adam Smith, condemned by Sir Robert Peel, and exposed by the Committee of the House of Commons in 1847, and by official reports to the Poor Law Board in 1848-9, is finally doomed, that its days are numbered and it must soon be abolished for ever;' I venture to add that, in the present relations of the different parts of her Majesty's dominions to one another, particularly as to the usual circulation of labour, *any statute that may be introduced for that purpose, will be both unjust and inexpedient, and therefore fail of effect, which shall not protect the native of Ireland or the native of Scotland from 'such violation of liberty and justice,' equally with the native of England or Wales.*"

As yet, the Select Committee have not brought their labours

to a conclusion, and, therefore, have made no report to the House of Commons. They have merely adjourned their sittings to the period when Parliament again assembles, having got permission to publish the evidence already taken; but we have reason to think they will call only a few other witnesses, after examining whom they must immediately report to the House in the usual way. It would be equally idle as improper for us to speculate upon the nature of the suggestions which the Committee will feel it their duty to make to Parliament, and, therefore, we shall not attempt it. But this we have the utmost confidence in saying—that if it were the opinion of the Cabinet that the case of the Irish poor, as set forth by the Irish Representatives, in their Memorial of March last, was *"irresistibly established"*—irresistibly established without inquiry—it is not the less so now, that inquiry *has* been instituted. Is there an unprejudiced man who has read these pages who will not admit that we have successfully proved our case, and in the fairest as well as most conclusive manner—even out of the mouths of those whose selfish interests render them the most eager in their opposition to a repeal of the law of removal? "This evil," says the Memorial of the Irish members, "scarcely tolerable while there existed a law of settlement and of removal in England from one parish or union to another, would become intolerable if the law of the two countries should be so nearly assimilated, and the forcible removal of an English pauper from one union to another in England no longer permitted." Will the facts disclosed in the evidence of Mr. Lumley, and well nigh extorted from many English and other officials, and the deliberate opinion of such impartial and enlightened men as Mr. Pashley, render the evil less intolerable, if unwisely maintained? Were there no pledge given to Ireland, by the Cabinet of the United Kingdom, the repeal of the law on the one hand, and its maintenance on the other, would be discreditable to them as statesmen, or even as politicians; but if, after such a pledge, and with the information which the Committee have already placed at their disposal, they do not manfully and honestly redeem their solemn promise, they will render themselves unworthy of the slightest trust, confidence, or respect. We cannot for a moment bring ourselves to believe that there is a possibility of such being the case; for, though our opinions of politicians and party-leaders are not, perhaps, of the most exalted description, still we cannot

suppose that the pledge of a Cabinet, unhesitatingly and unreservedly given, will not be held sacred and binding on the honor and consciences of British Ministers.

At any rate, whatever may be the intentions of Her Majesty's Government with respect to the removal or continuance of this monstrous evil, this pregnant source of wrong, outrage, insult, and dishonor, by which thousands of our poor annually suffer the most grievous injuries,—whatever may be the intentions of her Majesty's Ministers, at least the policy of the Representatives of Ireland ought to be decided—namely, to *compel* the redemption of the promise which has been made them. It will be their duty to see that no advantage may be taken of the seeming "exceptional nature" of the Irish case; and that no attempt to pass an English bill *first*, and an Irish bill *after*, shall succeed. We hold the opinion, which we know to be entertained by many Irish representatives, that an Irish bill by itself has little or no chance of success; and that in order to secure justice to the Irish-born poor, they must be *included* in any bill brought in for England. In all essential points, their case is identical, and in its incidents it is infinitely worse; so that the reasons for dealing at one and the same moment with the case of the Irish and the English poor are stronger and more pressing upon the part of the Irish.

Any separation of the two nations at such a moment as the present, would indeed be bad policy upon the part of a Minister of England. While we write these lines, our brave countrymen, the very relatives of the "removed Irish"—are crimsoning land and sea with their generous blood. Though the benevolence of the parish officer knows how to discriminate between the Englishman and the Scotchman, and the "mere Irish," the bullet and the blade of the Russian do not; and where the rage of battle was hottest on the heights of Alma, there conquered or there fell the flower of our gallant race. In the open field, in the battery, on the deck, England feels the value of her Irish right arm. Of their blood none so lavish, of their lives none so reckless; none more terrible in conflict, none so cheerful under privation. Whose rush is more resistless, whose battle-cry more appalling!—and when the moment comes for the assault or the escalade, who so eager to volunteer for the death-struggle? Is there a grave-mound at Alma that does not cover an Irish breast?—is there a sick ward in Scutari in which the mangled form of an Irish soldier

does not lie? In the fury of battle, in the agony of the hospital, in the silence of the grave, there is no distinction of race or country; they fight side by side, they moan and writhe side by side, they moulder side by side,—who, then, shall say that there shall be one law for the kindred of these brave men, and another for a favoured race? The Englishman who says so is an ingrate to the services of this country, and a traitor to the honour of his own.

To Englishmen, we would say—you admit that the labour of the Irish is priceless, that it is necessary to your social progress and your national greatness—you say it is of that indispensable nature that you cannot do without it. The same you must admit of their valour—you cannot do without it;—it enables you to hold your position amongst the foremost nations of the earth, in the very van of Western Europe—just as their labour enables your manufacturers to beat the industry of the world in fair competition. And will you, in spite of such services and such sacrifices, blacken your national honour by so dark and foul a stain as the refusal of *equal justice* to the poor of their country and your own? Read what every man of enlightenment and humanity testifies as to the effects of this law of removal on your own poor—its hardship, its cruelty, its injustice—the frauds to which it instigates your officials and your parishes, the selfishness which it gratifies and provokes, the hard and unchristian feeling which it engenders; think of these things, and say, when you have freed your own poor from this unnatural law, when you have given freedom to their industry, and flung open your broad land to the exercise of their unfettered energies, can you have the heart to continue the imposition of a worse law upon your Irish fellow-subjects?

We look confidently to Parliament, not for the display of any extraordinary generosity, but simply for the redemption of a solemn promise, and the performance of an act of common justice. And with less than justice, full and complete justice, Ireland ought not and will not be content.

Art. V. NATIONAL, FACTORY, AND REFORMATORY SCHOOLS.

FIRST PAPER—NATIONAL SCHOOLS.

1. *Lord Brougham's Speeches Upon National Education, House of Lords, 24th July and 4th August,* 1854. London: Ridgeway. 1854.
2. *Report from the Select Committee of The House of Lords, Appointed to Inquire into The Practical Working of the System of National Education in Ireland; and to Report thereon to The House; together with the Minutes of Evidence, Appendix and Index, Session* 1854. Brought from the Lords, 11th August, 1854. Ordered, By The House of Commons, to be Printed, 12th August. 1854.
3. *The Twentieth Report of the Commissioners of National Education in Ireland, (For the year* 1853.*) With Appendices.* Presented to both Houses of Parliament by Command of Her Majesty. Dublin: Thom. 1854.
4. *Education in Great Britain, Being The Official Report of Horace Mann of Lincoln's Inn, Esq., Barrister-at-law, To George Graham, Esq., Registrar-General; with Selected Tables.* London: Routledge and Co. 1854.
5. *Religious Worship in England and Wales, Abridged from The Official Report Made by Horace Mann, Esq., to George Graham, Esq., Registrar-General.* London: Routledge and Co. 1854.
6. *Education Reform; or, The Necessity of a National System of Education.* By Thomas Wyse, Esq., M. P. London: Longman and Co. 1836.
7. *National Education; Its Present State and Prospects.* By Frederic Hill. London: Charles Knight. 1836.
8. *The Social Condition and Education of the People in England and Europe; Shewing the Results of the Primary Schools, and of the Division of Landed Property, in Foreign Countries.* By Joseph Kay, Esq., M.A. of Trinity College, Cambridge; Barrister-at-Law; and late Travelling Bachelor of the University of Cambridge. London: Longman and Co. 1850.

9. *Public Education as Affected by the Minutes of the Committee of Privy Council, from* 1846 *to* 1852; *with Suggestions as to Future Policy.* By Sir James Kay Shuttleworth, Bart. London: Longman and Co. 1853.

10. *Suggestive Hints, Towards Improved Secular Instruction, Making it Bear upon Practical Life. Intended for the Use of Schoolmasters and Teachers in our Elementary Schools, for those engaged in the Private Instruction of Children at Home, and for others taking an Interest in National Education.* By the Rev. Richard Dawes, A.M., Dean of Hereford. Sixth Edition. London: Groombridge. 1853.

11. *Special Reports By The Directors to The Proprietors of Price's Patent Candle Company, Respecting that part of the Proceedings of the Annual General Meeting of the Company, 24th March,* 1852, *which has reference to the Educational, Moral, and Religious Charge to be taken by the Company over the Persons, (and especially the Young Persons) in its Employment;* with Eight other Pamphlets on this Important Subject. By James P. Wilson, Esq., Managing Director of the Company. 1851 to 1854.

12. *Chaplain's Twenty-Third Report of the Preston House of Correction. Presented to the Magistrates of Lancashire,* 1846. *Twenty-Fifth Report ofChaplain for same Prison,* 1848. *Thirtieth Report of same.* 1853.

13. *Crime; Its Amount, Causes, and Remedy.* By Frederick Hill, Barrister-at-Law, Late Inspector of Prisons. London: Murray. 1853.

14. *Juvenile Delinquents, Their Condition and Treatment.* By Mary Carpenter. London: Cash. 1853.

15. *Reformatory Schools for the Children of the Perishing and Dangerous Classes, and Juvenile Offenders.* By Mary Carpenter. London: Gilpin. 1852.

16. *Report of the Proceedings of a Conference on the Subject of Preventive and Reformatory Schools, Held at Birmingham, on 9th and 10th December,* 1851; also Report of Second Conference, Held December 26th, 1853. London: Longman and Co. 1851 and 1854.

17. *Report of Committee on Criminal and Destitute Juveniles.* Presented to the House of Commons, December, 1852.
18. *A Charge,* Delivered to the Grand Jury of Birmingham, at the Opening of the Sessions, Held Monday, September 4th, 1854. By Matthew Davenport Hill, Esq., Q.C. Recorder of Birmingham; and also various other Charges of the Recorder.
19. *An Act for the Better Care and Reformation of Youthful Offenders in Great Britain.* 17th and 18th Victoria, Chapter 86. 1854.

In a former number of THE IRISH QUARTERLY REVIEW,* we stated, when sketching the history of the slow progress of the Reformatory School Movement in England, that slowness in the adoption of theories, and earnest quickness in supporting the principles of theories when they had been worked into facts, were amongst the patent characteristics of the great British nation. From various causes this characteristic has been most remarkably evidenced by the tardiness with which the noble system of National Education was adopted, in its perfection, even whilst its necessity was fully, and generally admitted by all whose opinions, from position or information, commanded attention. All men expressed a most laudable and patriotic anxiety that the poor should be raised from that deep and woful ignorance in which their minds were swamped; some men took for their motto an expression of Doctor Chalmers, and, as it were, made it their watchward, proclaiming, "WE OBJECT NOT TO THE UTMOST POSSIBLE ILLUMINATION OF THE POPULAR MIND:" and yet the popular mind was not illuminated, because various influential sections of the community insisted that the illumination should arise from light enkindled by their own special and peculiar torches. "You must teach them upon a principle of which the Bible shall be the foundation," cried one. "Right," exclaimed another, "my Bible." "No," protested the Roman Catholic, "you shall not make the Bible the foundation, or if you do it must be mine." The "drum ecclesiastic" was beaten with all that vigor which ever distinguishes the controversial rappel, and amid the mêlée of the clerical combatants the children of the poor were forced to learn as best they could, or as pleased the patrons of various free, and ill-taught schools.

* Vol. IV. No. 14. p. 363.

As this subject now before us is of first importance, and as the history of the three classes of schools is little known to the great majority of readers, we shall, before we enter upon the detail of the present position of the Nation, in its popular educational phases, introduce here, as concisely as possible, a statement of the condition of the kingdoms, as to school accommodation, and the quality of the instruction imparted, before the public attention had been fixed upon the subject by the efforts of Lord Brougham, and of our countryman, the Right Honorable Thomas Wyse. We adopt this course, as we believe that powerful parties, both in England and Ireland, desire to embarrass the efforts of the Education Boards of each country; and it is only by making plain to all the great benefits which the people have derived from the present system, and the pitiable condition from which it rescued our poor, that the thoughtful portion of the community can fully understand the value of that nobly designed and succesfully conducted scheme, by which each child in the land can be taught secular learning with his fellow of any creed, and yet can grow up in the knowledge of God's law, as understood by those of his own faith, through instruction communicated at stated periods by his own pastor. We fully adopt the wise principles expressed by Lord Brougham, who has said; "In a community like this, filled with various religious classes, and whose religious zeal is happily so fervent—I say happily, because whatever dissensions it may engender, and whatever difficulties it may occasion, its warmth at least proves the strength and sincerity of religious conviction—it has always appeared nearly impossible to plant schools in which the children of various sects may be taught unless their instruction is confined to secular learning, while their religious teaching is left to their parents or their pastors. But this principle by no means excludes whatever security may be required for their receiving that instruction at home, and for their attending the Church to which their parents resort, supposing their attendance at the school service or school church dispensed with. This is the opinion, and with this qualification rather than exception, which I have ever held, and in common with men whose great worth was not more remarkable than the strength of their religious feelings, so that it is grounded on any thing rather than indifference on this most important matter."

The first attempts at popular education had their origin in the Sunday Schools. The earliest of these schools was that formed in the year 1763, by the Rev. Theophilus Lindsey, vicar of Catterick, in Yorkshire. It was his custom to collect the children, to devote an hour each Sunday, before the commencement of the afternoon service, to catechising the youth of the parish, and to expounding the Bible to the boys of a school numbering 200. The success, and evident advantages, of this school to the poor, attracted the attention of a lady named Harrison (who, as Mrs. Cappe, has left us in her *Autobiography*, her impressions on the subject,) and she resolved to establish a Sunday School, and accordingly collected her scholars in the only vacant apartment of her house at Bedale—the back kitchen; and incited by the example of Miss Harrison, Miss Ball, of High Wycombe, Bucks, formed a school for forty children, whom she every Sunday instructed in the Scriptures, the Catechism, and the Collect, preparatory to going to church. It was not, however, until 1780, that the necessity for these schools was comprehended by those who were sufficiently active and influential to give vigor and vitality to a practical working of the principle. In that year the Rev. Thomas Stock, rector of St. John's, Gloucester, and Robert Raikes, proprietor of *The Gloucester Journal*, established the four regular Sunday Schools, in the parishes of St. John and St. Catherine.* Mr. Stock died in the month of December, 1803, but Mr. Raikes lived for nearly thirty years to witness the success of his Christian undertaking. From these four schools established in Gloucester has sprung that system of Sunday teaching which is now, after seventy-four years' experience of its results, imparted in 23,514 schools, by 318,000 teachers, to 2,407,642 scholars.

Although founded by members of the Church of England, the importance and usefulness of these schools were felt and acknowledged by the Dissenters; and various religious bodies established Sabbath Schools for the members of their own persuasions.

We have referred to the Sunday Schools as they are the earliest in the educational history of the country, and be-

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* For an account of those Schools, and of the motives which induced Mr. Raikes to establish them, see IRISH QUARTERLY REVIEW, VOL. IV., No. 14, Art. "Reformatory and Ragged Schools."

cause from them, and through the example of their success, has sprung the whole system of popular and national education. What had been attempted and proved practical in the Sunday School by Raikes, was attempted and proved with equal success by Joseph Lancaster in the Day School.

Joseph Lancaster was born in 1771, and was a member of that body which has furnished more than its proportion to the ranks of our national philanthropists—the Society of Friends. His father was a soldier in the foot-guards, and residing in the Borough Road, Southwark, surrounded by a poor population, Joseph saw that poverty was but too frequently accompanied by vices which he believed to be the result of ignorance. His father gave him the free use of a room in his house, which the young man fitted up at his own expense, and opening it as a free school in 1796, his scholars numbered ninety before he had himself reached his nineteenth year. In 1798 the numbers had increased to 1,000; and finding himself quite unable to provide instructors for this large body of pupils, he either invented himself, or adopted from Dr. Bell, the monitorial system, or a plan of teaching younger or less advanced children, through the agency of the older or better instructed scholars. His efforts attracted the notice of the Duke of Bedford; and in 1805 he was favored with an audience by George the Third, who said, in approving Lancaster's efforts, "I wish that every poor child in my dominions may be able to read his Bible." From the year 1807 to 1811 he travelled about 7,000 miles through the kingdoms, and lectured on his system to more than 50,000 persons; and by these active means extended a knowledge of the educational wants and resources of the country amongst all classes of the community. He endeavoured to found a school for the children of the richer classes in 1812, but failed, and from pecuniary losses was forced to leave England for America in the year 1818. He was received in the New World with respect and confidence. In 1829 he went to Canada, where he was well received, the Parliament of Lower Canada voting him several grants for educational purposes; but from want of those qualities which render men fitted to guide themselves and others, Lancaster, although an excellent projector, was a very incompetent manager, and in America, as in England, it was his lot to enjoy affluence and endure want, even whilst his system was flour-

ishing. His friends contributed to purchase an annuity for him, and his career closed in New York on the 23rd of October, 1838.

With the name of Lancaster, and with our recollections of the early history of popular education in England, the name of Bell is intimately connected. Andrew Bell was born in St. Andrews, in the year 1753, the son of a tailor, and was educated in its ancient University. In his twenty-first year he left College, and proceeded to Virginia, where he resided, as tutor, during the five succeeding years, and in 1781 he returned to England, but was shipwrecked on the homeward voyage. Arrived in England he took orders in the Established Church, and was appointed minister to the Episcopal Chapel at Leith. He applied for a degree, as Doctor of Divinity, to his University, and, through some mistake, a diploma as Doctor of Medicine was sent him. He was next appointed Chaplain of some regiments ordered to India, whither he sailed in the year 1787. Some short time after his arrival in that country, the Military Orphan Asylum was founded, and he became its honorary superintendent. Whilst discharging the duties of this office he commenced the plan of instructing by monitors, and tested it by setting the elder boys to teach the younger writing in sand, according to the Hindoo custom. Finding the experiment successful, he endeavoured, upon his return to England, in 1797, to make his system known, by various publications. He succeeded in great measure, and whilst advancing the cause of education he was pushing his own fortune. He was appointed rector of Swanage, in Dorsetshire, in 1801; master of Sherborne Hospital in 1808; prebendary of Hereford Cathedral in 1818, and some years after, prebendary of Westminster. Dr. Bell died at Cheltenham, on the 28th of January, 1832, and bequeathed £120,000 to the educational establishments of the country which seemed to him useful and best conducted.

We have stated that Lancaster and Bell both used the monitorial system; and from this fact the most important results have arisen in these Kingdoms. Bell returned from Madras in the year 1797, and at once made his system public; whilst the monitorial teaching was not adopted by Lancaster until the year 1798. Whether the latter adopted the plan from Bell, or whether he discovered it himself, it is impossible to decide,

but the friends of each claimed for their leader the honor of originality.*

Priority of invention was not, however, the only ground of difference between the systems of the rival professors. The Schools established by Lancaster were unsectarian, no particular religious tenets being inculcated, and the whole religious training consisting in the reading of certain portions of the Bible without note or comment. Upon this plan "The Royal Lancasterian Institution for Promoting the Education of the Children of the Poor" was established in the year 1808. Some few years afterwards the title was changed, for that by which the Schools are now known—"The British and Foreign School Society."

The patrons of these Schools were amongst the most able men of that day. "With the British and Foreign School Society," said Lord Brougham, in that speech to which we have already referred, "I have been intimately acquainted, I may say connected, from its commencement in 1808, under another name; indeed I presided at the preliminary meeting held to found it, attended by William Allen, Joseph Fox, Thomas Clarkson and others, who had stood by Joseph Lancaster in his great difficulties. In the following spring, the Duke of Bedford presided over its first public meeting. Under his auspices, and those of the Duke of Kent, father of Her Majesty, one of the most zealous and useful friends of the Institution, it gathered strength; and its fundamental principle, that which distinguished it from the National Society soon after established, was the rigorous exclusion of all differences on religious grounds, the severance of secular from religious instruction, the repudiation of whatever could by any possibility operate as a test—the principle embodied in its motto of Schools for All."

In 1810, as now, there were good, and wise, and christian, and patriotic but mistaken men, who thought that the principle upon which this School Society, to which Lord Brougham refers, was based was wrong and false, and contended that religion should be the foundation of all instruction, and *that* religion exclusively the creed and doctrines of the Church of England. This was a great, and powerful, and influential party. It was

* Sydney Smith, writing in the year 1806, describes Dr. Bell as "a very foolish old gentleman, seized on eagerly by the Church of England to defraud Lancaster of his discovery."

unrepresented by any system of school teaching, but it could not remain inactive whilst the Lancasterian schools were flourishing. Accordingly the theory and mode of teaching advocated by Doctor Bell were adopted, and in the year 1811, "The National Society for Promoting the Education of the Poor in the Principles of the Established Church" was founded, in opposition to, or in rivalry with, "The British and Foreign School Society."

Since the establishment of the latter Society in 1808, it has trained about 8,000 teachers. At its Normal Seminary in the Borough Road, London, there is accommodation for sixty resident candidates; about the same number are generally enrolled as out-door pupils. In the Model Schools attached to this institution 700 boys and 300 girls attend daily, and since their establishment more than 60,000 children have been instructed. There is also a depository of books; the schools in connection with the society are inspected carefully, and the best branches of collective teaching have been recently adopted in conjunction with the monitorial system.

Of 133 students now at the Normal Seminary, 50 are Queen's Scholars, receiving yearly exhibitions from the Privy Council; and most of the local schools have been assisted by Government grants, and are under Government inspection. The income of the Society, for the year 1851, amounted to £15,183; and the income, for the year 1850, of 628 British schools, instructing 91,944 scholars, was £59,132, giving an average of 12*s*. 11*d*. per scholar annually. This income was derived from the following sources:—

Permanent endowments	£829
Voluntary contributions	£24,150
Grants from Government	£4,455
Payments by scholars	£26,590
Other sources	£3,108

These schools numbered 28 in the year 1811; 191 in the year 1841, and in the ten years, from 1841 to 1851, they increased to 449.

The National Society was, we have stated, founded in 1811, and was incorporated by Royal Charter in 1817. During the four years ending 1851, the annual subscriptions to the General Fund of the Society averaged £11,000. To this may be added the Welsh Education Fund of the Society, which amounts to about £3,000 per annum, and occasionally large sums are collected

for special purposes. By Royal Letter, issued occasionally since 1820, at present triennially, parochial collections are made in favor of the Society. The sums collected in this latter way have varied in amount, from £22,810 to £32,602. Since the year 1839 local boards have been forward, in connection with the Central Institution, in most of the dioceses of England and Wales—and their annual income may be calculated at £20,000. The Central Board makes grants in aid of erecting schools in accordance with the Charter; it also supplies books to the local schools. The Board has five Training Colleges under its immediate management, and supported chiefly from the funds of the Society, and which now send forth annually about 270 teachers. In addition to these latter Colleges, 20 Diocesan Training Schools have been established since 1838, and these send out annually about 400 teachers. The number of schools in connexion with the Board now amounts to 10,555, and the scholars number 929,474. From 897 in 1831, the schools increased in 1841 to 2,002, and in 1851 the number had risen to 3,448.

In the Census of 1851, 4,546 Church Schools are returned, containing 472,372 scholars; the total amount for 1850 was stated to be £341,752, giving an annual income of 14*s.* 5*d.* per scholar. The sources of this income are thus stated :—

Permanent endowments	£13,240
Voluntary contributions	£179,765
Grants from Government	£18,132
Payments by scholars	£103,264
Other sources	£27,361

The greater number of the schools are aided by the Committee of the Council of Education, in conjunction with the National Board, and are inspected according to the rules of the Council.

Having thus briefly placed before the reader the history of the origin, progress and position of the three great Educational Institutions of the kingdoms, and as they are the most important so are they the earliest founded, we shall here insert the admirable and eloquent history of their progress, from Lord Brougham's speech in which he traces the whole bearing of this subject, and epitomizes all the facts and figures connected with it, indicating the dangers and the troubles of the past, and forewarning us of the evils with which intolerance if successful,

must afflict the nation by inundating it with a troubled tide of fanaticism on the one side, and of ignorance and consequent turbulence and vice upon the other. His Lordship said :—

"I shall begin by marking the periods to which our detailed information applies, and the grounds upon which we are enabled to rely upon that information. Great objections have, at different times, been made to its accuracy, and we must, therefore, stop a moment to consider how far these are well founded. The earliest returns are those obtained by the Education Committee of the Commons, in 1818; the next are those of 1833, obtained on the motion of a noble friend, whose early loss to the country is so deeply to be lamented, Lord Kerry; the last are those of 1851, under the Census Act. The returns of 1818, were made by the parochial clergy, and as having presided over that inquiry, I well know the zeal with which they performed the office cast upon them. Such was their alacrity, that within a week after our circular was issued, all those sent their answers who were within a moderate distance, and very soon after I had received the whole, with the exception of about 600, which, in a number of nearly 12,000 might be expected from different accidents. A second circular reduced this number to about 200 defaulters. But a circumstance occurred which placed the conduct of those reverend persons in a most honourable light. By some oversight of the clerks in the Committee, there were 360 returns mislaid; and as it was believed they had not been sent, a circular was dispatched, chiding the supposed defaulters. It so happened that those returns had been culled out from the mass, as being more elaborate and voluminous than the rest, and the Committee, in a somewhat peremptory manner, called for the returns to the original requisition. It might well be expected that those reverend persons should feel hurt, both at the groundless rebuke and at the labour needlessly exacted. But of the whole 360 only two made the least complaint, and even they sent the second returns demanded. Some had kept copies of their former answers, but a great number had not; and their returns extended, in many instances, to ten pages and upwards. I may further state, that when, after the dissolution of Parliament, I took the liberty to send another circular for further information, although aware that this was only in my private capacity, and not as chairman of the Committee, the clergy returned answers, giving the details solicited, rather than required. After the lapse of fifteen years, the returns of 1833 were made, but by the church wardens; and I have no hesitation in stating, that they are very inferior in point of fulness and accuracy, as might be expected from the temporary nature of the office held by those who made them. They have proved, on examination, to be particularly defective in some of the larger towns. In 1851, we have the latest returns, and as these were made under the superintendence of the Home Department, they are more to be relied on for fulness as well as accuracy, than those of 1833. I must, however, mention a circumstance which shows that no little confidence is due to the latter. When the repeal of the Test and Corporation Acts in 1828, seemed to remove the chief obstruction in the way of a general

School system, I was anxious to ascertain what progress had been made during the ten preceeding years; and addressed a letter to 7 or 800 parochial ministers to ask for a continuation of their former returns. Those parishes were taken indifferently, some large, some small, some middle-sized; I received 487 answers, and these, compared with the statements of 1818, indicated an increase in the number of day-scholars at unendowed schools, in the proportion of 21 to 10. Now, the returns of 1833 give that increase as between 23 and 24 to 10, which allowing for the increase between 1828 and 1833, tallies very nearly with the other proportion. I therefore conclude that we may place reliance upon the accounts generally, not only in considering the rate at which education has advanced, but in estimating the deficiency at any given period, provided we keep in view the consideration that the numbers given in these accounts are, from the nature of the case, more or less below the real amount; those of 1851 being nearest the truth, those of 1833 probably most defective.

It appears that in 1818, the Day-Schools of all kinds were attended by 674,000 scholars (I take round numbers, as the Resolutions I am about to move give the particulars)—the Sunday-Schools had 425,000. In 1833, the former had increased to 1,276,000; the latter to no less than 1,548,000 or nearer fourfold than trebled. In 1851, the Day-Scholars had increased to 2,144,000, the Sunday to 2,407,000. So that in 33 years Day-Scholars had increased more than three-fold; Sunday Scholars nearly six-fold. Now the population had, no doubt, increased from above 11½ millions to 14½ in the first period, and to nearly 18 in the second; but still the increase of education was much more rapid, there being, in 1818, of Day Scholars one-seventeenth; of Sunday one-twenty-fourth of the population; in 1833, these numbers had become one-eleventh, and one-ninth respectively; and in 1851, one-eighth and one-seventh. It is also manifest that the rate of increase had been considerably greater in the 15 years between 1818 and 1833, than in the 18 years between 1833 and 1851, although the population increased more rapidly during the second period than during the first. As the omissions in the returns of 1833 were greater than in those of either 1818 or 1851, it may be taken as certain that the actual rate of increase was less than the apparent, or in other words, that there was a greater retardation than the returns show. Nor can we doubt that this retardation has been owing not altogether to the unavoidable relaxation of the voluntary exertions made to promote education,—exertions which must needs be lessened unless the resources of individuals are enlarged,—but also in a considerable degree to the wants having been partly supplied which had called them forth. It is certain, that previous to 1818, there had for some years been a great step made by the establishment of Schools on the new or monitorial plan, that of Bell and Lancaster, in so much that above 1500 of these had been planted, educating 200,000 children. But the discussions which arose out of the Education Committee in the other House, in 1816, 17, and 18, had occasioned new efforts all over the country to establish Schools of a more useful class, because having a larger proportion of teachers, and dispensing, in a great

measure, with the monitorial system. The Bill which I brought forward in 1820 as the Chairman of that Committee, and which reached almost its last stage in the Commons, was unfortunately opposed by the Dissenters, and being only feebly supported by the Church party, we were deprived of a great, and in my belief, a most unexceptionably framed system of parochial education; nor was there ever the least encouragement given to renew the attempt. Nevertheless, out of evil came good, by the blessing of Providence; and even the animosity, or let us only say the rivalry, of conflicting sects gave rise to new exertions for the furtherance of popular instruction. Such exertions could not be expected to continue, and accordingly a great deficiency still exists in the means of education.

Before 1833 there had been no interference at all of the State; everything had been done by individuals. But in that year the Government to which I had the honour of belonging, felt it incumbent on them to act upon the Report of the Education Committee of 1818. To the recommendations in that Report I called the attention of my colleagues, laying it before Lord Grey and Lord Althorp, and a grant was obtained from Parliament of a sum to be applied in the encouragement of Schools. This grant was repeated yearly, and from the moderate sum of £20,000, it has happily of late been increased to, I think, upwards of £300,000. The application of it was for some years entrusted to the Treasury, and they had acted chiefly upon the principles laid down in the Report of 1818, avoiding whatever might tend to discourage voluntary exertions, and giving the sums allotted for outfit or original cost to parties who were ready to provide for the yearly expenses. The Committee had suggested two modes of distribution, either through commissioners, or through the two great school Societies, the National and British and Foreign. The latter was the course adopted; but I may more correctly say that both courses were taken ultimately; for in the year 1839 a Committee of the Privy Council was formed to superintend the distribution, and that Committee generally gave the sums through the two Societies. The transfer to the Privy Council was at one time the subject of regret, because the Treasury had conducted the business in a quiet and unobtrusive manner, and the creation of a department gave rise to some jealousy and even alarm; so that your Lordships may recollect a long and warm debate on resolutions moved by the Archbishop of Canterbury, in which the House by a very large majority concurred, expressing an opinion unfavourable to the appointment of the Privy Council Committee as made without the sanction of Parliament. But great advantage has ultimately resulted from the creation of this department; and certainly whatever may have been the inconveniences originally experienced, I am bound to defend the proceeding still more strenuously than I did in that debate, because I afterwards found that the Committee adopted the very measures which I had described in the Resolutions moved in May, 1835, for not merely encouraging the formation of new Schools, as the Report of 1818 had recommended,—for not only increasing the amount of the education afforded, but improving its quality by the employment of Inspectors and the establishment of training seminaries. The Committee has

been most ably and actively seconded by its assistants, especially Messrs. Kaye Shuttleworth, and Lingen.

In the same year that this important Committee was appointed, I had for the third time brought in a Bill to establish such a depatrment, and to invest it with powers of distributing the yearly grants, and of authorising local rates so as to encourage by both these funds the planting of schools, to support those requiring assistance, to establish training schools, and to superintend the conduct of all either founded or aided by the public. The difficulty as to the religious question had seemed to be surmounted; and I was authorised to state on behalf of a very numerous meeting of delegates from most parts of the country, who had held a conference on the details of the plan, that it had, after undergoing various alterations, received their general concurrence; the Dissenters joining with the Churchmen in holding its provisions to be unobjectionable. The Government of the day, Lord Melbourne's, was entirely favourable to the measure; but unfortunately they had been defeated the week before I moved the second reading; and when a Right Rev. Prelate, recently raised to the episcopal bench by that Government, and who had voted with us against his Metropolitan upon the recent occasion, now put himself in the front of the opposition to the Bill, we had no hopes of success, and were obliged to withdraw it until a more auspicious time should come. I found, however, that one great object of the Bill would be secured, the creation of an Education department, if the Privy Council Committee, not only persevered in its administration of the annual grant, but applied it to the establishment of training schools, and the employment of inspectors; all which they could do without any parliamentary authority. The more effectual power of local rating would alone be still wanted; but the increase of the annual grant might to a considerable extent supply this defect; and I was willing to expect every thing from the entire agreement of my noble friends in the great principles of the Bill. Their proceedings in Parliament and in the Privy Council during the next year or two, confirmed these expectations, and I certainly should have been without excuse had I interrupted them by again pressing the Bill. It was only consistent with the most ordinary discretion, and the scantiest stock of patience, to await for awhile the results of what had been already done. The ground had been prepared in 1818; the seed sown in 1833; due care was now cheerfully bestowed upon its protection; and with a fair prospect of success crowning the labours of the new department created in 1839, it would have been most unwise, indeed irrational impatience to interfere with the natural growth of the plant, as some projecting lawgivers of exalted rank, the Emperor Joseph among them have occasionally been seen to do, and been in consequence compared to the child that having put a bean in the ground, must needs pluck it up to see if it has begun to sprout, instead of waiting till the stem and the leaf appear, fostered by the breeze, strengthened by the sun, expanded by the shower. That childish, preposterous impatience I felt not, how great and how constant soever my anxiety for the progress of the system, because I was well assured of its safety in the hands of my noble friends of

the Privy Council Committee. But I think we may admit that the time is now come for examining the progress which has been made, and for asking ourselves whether any thing and what remains to be done.

I take it to be clear beyond all question that the means of education are still insufficient; and I now beg the attention of your Lordships while I demonstrate this proposition. I lay aside the great numbers taught at Sunday schools, because valuable as is the instruction there given, and beyond all praise the conduct of the pious and truly charitable persons (290,000, I glory in being able to say it,) who devote themselves to this really good work, in the spirit of genuine because wise benevolence,—that which alone deserves the name, when the act is in harmony with the will, and good is not only intended but done:—the instruction received is extremely limited, and two or three hours in a week give but inconsiderable moral discipline, which is the most important part of tuition; not to mention that no small proportion of the Sunday scholars are returned also under the head of Day scholars. It is to the Day scholars therefore that we must look, and these appear to be in round numbers 2,144,000 at 46,000 schools. But these include private as well as public schools, and 500,000 children of the upper and middle classes are taught there, and about 50,000 at the endowed schools, which are also included. These deductions I make after a full communication with Mr. Horace Mann, whose intimate acquaintance with the whole statistics of education is well known to such of your Lordships as have had the advantage of perusing his elaborate and judicious Report to the Registrar-General, a document of the highest merit both for its arithmetical details and for the enlightened views which it gives of the whole subject. It would indeed be difficult too highly to praise this most able and useful officer. *(Earl Granville, Lord Monteagle and others strongly expressed their concurrence.)* We may conclude therefore that for the children of the working classes, and of the poor, there are only public day schools attended by little more than 1,500,000

Let us now consider how far this supply of education is adequate to the wants of the people. And here I must begin by observing, that nothing can be more wild than the notions of those who reckon upon all the children between three and fifteen, or 4,900,000, as the number for whom schools should be provided, conceiving most erroneously that the working-classes, as well as those in easy circumstances, can keep their children long enongh at school to require anything like this accommodation. Unhappily there comes in competition with the schoolmaster, great as his merits and his claims may be, the employer; and from the time that a child can earn somewhat towards his support, his attendance at even the school which costs nothing, must be first interrupted, and then altogether cease, even assuming the parent to be duly impressed with the advantages of education. Instead, therefore, of more than a fourth of the population, we should not reckon more than one-eighth, or the children between four and twelve, which would give the number for all classes at 2,222,000. But we are to consider only the proportion of these belonging to the working-classes and the poor. What

is that proportion? I made inquiry of my honourable friend the Registrar-General, and he gave me four-fifths as his estimate of the proportion which the working-classes bear to the whole population, or about 3,625,000 males of 20 and upwards, but not reckoning farmers' sons and commercial clerks. I will take the calculation then as four-fifths, or 14,340,000, and one-eighth as the children, or 1,792,000. But I was desirous of checking this calculation by having recourse to another test; and I found in the evidence before Mr. Hume's Income Tax Committee last Session, the number of persons having incomes of £75, and upwards is counted as 829,117 by Mr. W. Farr, the able and intelligent head of the Statistical Department in the Registrar-General's office; and deducting a sixth for Scotland we then have 712,000 for England and Wales, which reckoning five to a family would leave for the other classes, the working and the poor, 14,440,000, and the children 1,805,000, being very nearly the number obtained from the calculation founded on Mr. Graham's estimate of four-fifths. It is indeed very possible, that in making this estimate he had taken into his account Mr. Farr's statements respecting the Income Tax. However, I think we may on the whole rest satisfied with the inference that as, instead of 1,800,000, there are attending public day schools little more than 1,500,000, the deficiency in these schools for the working classes is not much less than 300,000, or upwards of 3,000 schools, even allowing the average of 94 scholars to a school, which is unfortunately the number in the public day schools, and is very considerably more than in every view is desirable.—I have made no deduction for dame-schools; had I done so, the deficiency would have been greater by above 130,000.

But I must proceed to state that this great evil is unfortunately not equally diffused, as it were over the country; the deficiency is much greater in some places than in others, and it is greater exactly where it is most to be lamented, in the larger towns. I take 44 of those, the population of which amounts to 3,206,000, London not included, and I find that the scholars at public day schools amount to 226,000, to which we must add a portion of those at private schools, say 24,000, and we have the whole therefore 247,000, or one in thirteen of the population. But if we take the rest of the country, exclusive of the 44 towns and of London, we have day scholars at public schools 1,029,000, and adding 84,000, for the private, the total is 1,113,000, or one in eleven of the population; and a like difference is found as to Sunday scholars. But we may institute the comparison as to all towns of above 50,000, our former case being those of the largest towns. We then shall find that in a town population of 4,880,000, the day scholars are 521,000, or nearly one-ninth; and in all the rest of the country, the scholars are 1,621,000, or one-eighth. This comparison includes London, which is more deficient than any other place, town or country; the proportion of day scholars being only one-thirteenth, and of Sunday scholars one-seventeenth, that of the great towns being nearly one-seventh, and of the rest of the country nearly one-sixth. If therefore those towns had the same means of education

with the other districts, there would be day schools for 89,000 scholars, and Sunday schools for 86,000 more than they now have. How many years will be required to supply this great deficit? We must always bear in mind that the population is increasing at the rate of nearly 200,000 a year. So that in those towns it is increasing above 30,000 annually, so that to maintain even the present inadequate supply of schools in its proportion to the number of the people, there must yearly be provided an addition equal to about 3,000 scholars, without the least impression being made upon the deficit; and to supply this would require an increase every year, for five years, of day schools sufficient to teach 21,000—which is nearly twice as rapid an increase as has been made during the eighteen years between 1833 and 1851. Having mentioned the diminution in the rate of increase of late years, I must add that this can in no way be ascribed to the aid given by the State, as was apprehended by some warm friends of education; for the diminution has been greatest in Sunday schools, which receive no part of the annual grants. My able and excellent friend, Mr. Baines of Leeds, though decidedly averse to all interference, never fell into this error. He must have been sensible that the diminution was owing to the extraordinary efforts which had before been made, and chiefly in respect of Sunday schools. He was also perfectly sound in his view of the minimum numbers for whom schools should be provided.—Indeed, I always differ with hesitation from one who has done so much and who knows so much upon the whole subject of popular education. The bill, however, which I now present is grounded partly on the difference that exists between us respecting the facts, and partly on our arriving at different conclusions from such as are undisputed."

It will be observed that of the 2,144,378 day scholars stated to attend the day schools of *all kinds*, 500,000 are instructed in private schools, and about 50,000 in endowed, schools; these, for the chief part belong to the upper and middle classes; it therefore appears that the numbers attending the free day schools amount to about 1,500,000: assuming these figures to be correct, we find that for these children of the poor and working classes, the schools are only in the proportion of $\frac{1}{5.6}$ of the numbers of the classes, whilst they should be $\frac{1}{8}$, leaving a deficiency of 300,000, to be augmented by 20,000 yearly, by the annual increase of the population. Another particular which must be kept clearly in mind is, that the deficiency is greater in the large towns than in the other parts of the country. In the aggregate of the towns which have above 50,000 inhabitants each it amounts to 130,000, whilst in the remainder of the country it is only 170,000; that is, the schools in these large towns being only for $\frac{1}{11.5}$ of the working classes, and in the other parts of the country for $\frac{1}{5.7}$ of these classes,

deducting 50,000 taught at endowed schools; and great as is this deficiency of schools, the deficiency of teachers is still more glaring.

Closely connected with the question of free school accommodation, is that of the quality and quantity of instruction imparted in the limited number of the existing institutions; and here the facts are extremely disheartening.

It would seem that the only system of education ever contemplated for the people of England was, and still continues to be, one confined to reading, writing and arithmetic in its lowest branches; and to this plan has the nation adhered, even whilst it was fully known that in the same period, and at no increase of expense, the children could be instructed in the elements of the more useful branches of knowledge, and thus trained to habits of sobriety and industry. We know well that it has been said our people are advancing in education: and when, in our papers entitled "The Garret, the Cabin, and the Gaol," "Our Juvenile Criminals :—The Schoolmaster or the Gaoler," "Reformatory and Ragged Schools," and "Reformatory Schools in France and England,"* we endeavoured to shew that the boasted educational progress of the nation was only a fanciful myth formed by uncalculating philanthropists, and by miscalculating statisticians, we were contradicted. If these well-meaning writers would but descend to a consideration of the figures of the Census, even as furnished in that controverted document, they would find the real facts to be plainly and simply these:—that although all the schools and scholars of all classes are placed together, yet only eighty-four per cent. of the boys, and eighty-seven per cent. of the girls learn reading; only one-half the boys, and less than one-half the girls learn writing; whilst from every hundred boys but forty-five, and from every hundred girls but thirty-six and a-half learn ciphering. And this absurdity we call a system of education. We called it thus in 1838, when 10,000 in the parish of Bethnal Green, London, were without school accommodation; when, of five parishes about Charing-cross, school accommodation was extended to but one in fourteen of the population; when, in the Tendering Union, in the County of Essex, of 706 children, only 88 could read and write, and not more than 109 attended a day school; when, of 2440 children in the Union of Hay, in Herefordshire,

* See Irish Quarterly Review, Vol. III. No. 10. Vol. IV. No. 13. Do. No. 14. Do. No. 15.

612 only could read and write, and 1038 attended no school. These are no fanciful facts of ours: they can be found, in all their shameful force and truth, in the Report of the Parliamentary Committee, of 1838, on Education.

But have we improved since that period? If we take the evidence furnished by the various school returns of the Census, we find that large numbers of children attend, but we do not find the periods for which they attend; yet we are called upon to believe, and to take for granted, that all the children who enter the schools attend for an average period of four years each. If they do attend for four years, and if the reports of the Prison Chaplains are to be taken as authorities, we can only assume that bad as was the system in 1838, when school accommodation was disgracefully narrow, the mental improvement of the great mass of the people has not kept pace with the extension of educational institutions.

When statisticians tell us that we can number, and when they number for us, scholars by hundreds of thousands, they deceive themselves and the nation by hiding, or by being ignorant of the fact, that school attendance, unless it be for a period sufficiently long to enable the scholar to make some educational progress, is nothing more than a very dangerous and delusive fact, and one upon which no particulars, as to the state of education, can be founded. Children may be returned upon the school lists as reading, or writing well, or imperfectly, and as having attended school—but when we come to enquire into the quality of education possessed by these children, we may gather it from some evidences furnished by the *Reports* of the Rev. Mr. Clay. It should be remembered that mere reading and writing do not constitute education, even if the children were well grounded in these aids to knowledge; and Mr. Clay, in recording his experiences, proves the very deceptive nature of the evidence afforded as to the education of the people by those arbitrary classifications, as showing the knowledge and progress of the poor. The Rev. Mr. Clay, the justly honored Chaplain of the Preston House of Correction, has paid close attention to the relations of crime and education; and the result of his enquiries is—that the great mass of our poor who were stated to have acquired knowledge sufficient to enable them to read and write are, in the vast majority of cases, *really*, and for useful purposes, ignorant of both. In his *Report*, for the year 1846, Mr. Clay wrote:—

"No one sees more clearly than the chaplain to a jail that '*public education is lamentably imperfect.*' For many successive years my duty has required me to lay before the magistracy of the county statistics of secular and religious ignorance, which, though at first considered scarcely credible, subsequent investigation by other and better qualified enquirers has corroborated. In 1839 these statistics, among other evidence of a similar character, were referred to by the statesman * whose language I have quoted above. That there are great difficulties in the way of any general measures for removing the ignorance so widely spread is admitted; but I venture to think they are such as might be overcome, if those interested in the subject would consent to waive some minor points, and agree, by way of commencement, to rough-hew what is now a shapeless and useless obstacle—if not incumbrance—into what might be rendered valuable for the support and ornament of the great social edifice. It is not required from one holding my humble position to suggest the mode of operating on the unformed masses of ignorance; but I feel that it is incumbent upon me to report facts bearing on the question, and brought under my own observation, which evince the paramount necessity of doing something;—to exhibit, unpleasant as it may be to all parties, the mere animal existence—it can scarcely be called humanity,—which in this civilized and religious country, yet remains uncivilized and without religion: let me present a short summary of three years' observation;—hard, naked statistics, which I will clothe in but little commentary. During the period I name, the performance of my duty has brought me into contact with

1733 men and boys, and 387 women and girls, altogether unable to read; with

1301 men and boys, and 287 women and girls, who knew not the name of the reigning sovereign; with

1290 men and boys, and 293 women and girls, so incapable of receiving moral or religious instruction, that to speak to them of 'virtue,' 'vice,' 'iniquity,' or 'holiness,' was to speak to them in an unknown tongue; and with

1120 men and boys, and 257 women and girls, so destitute of the merest rudiments of Christian knowledge, so untaught in religious forms and practice, that they knew not they name of Him who died for their sins, nor could they utter a prayer to their Father in heaven!

Yet for minds like these, who never received the *bread of life*, other food has been found. Their appetites, depraved by those who feed them, are abundantly and cheaply supplied with the 'perilous stuff' contained in '*The Newgate Calendar Improved*,' the adventures of Dick Turpin and Jack Sheppard, and similar corrupting trash contained in *Lloyd's Publications*. I have conversed, during the last three years with 1234 males and 199 females who, though ignorant of almost everything good and useful, and of the meaning of the *words* 'virtue' and 'vice,' have yet been made familiar with, if not

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"* The statistics were from my Report of 1838, and were quoted by Lord John Russell in the debate on education, of the 20th June, 1839.

enamoured of, the personification of the latter as held up for their sympathies and imitation in the stories of Turpin and Sheppard."

In the *Report*, for the year 1848, Mr. Clay inserted one of the most interesting, and important passages to be found in the entire of his valuable series: taken in connection with the last, we have this important fact, that whilst vast numbers were ignorant of religious truths, large numbers who would be, according to the Census, classed as possessing a knowledge of reading and writing, were really so little instructed in these branches of education, as to render any enumeration of them, amongst the instructed, a very gross and dangerous error. Yet who, looking to the figures of the Census, can deny that thousands of the 1,500,000 children attending the free schools are no better informed than those of whom Mr. Clay thus wrote, in the *Report* to which we have last referred:—

"In the month of February last, I requested the schoolmaster to procure specimens of writing and spelling from all the male prisoners, then incarcerated, who professed the ability to give such specimens. A copy of the Lord's prayer was the exercise required. Sixty different attempts were made, by as many different men, to comply with my wishes, and the result may be thus classified:—

Class No. 1.	1	Copy accurate in every particular.	
,, 2.	2	Copies only deficient as to capitals and punctuation.	
,, 3.	2	,, containing only 1 error in spelling.	
,, 4.	5	,, ,, ,, 2 errors	,,
,, 5.	7	,, ,, ,, 3 or 4 ,,	,,
,, 6.	6	,, ,, from 5 to 8 "	,,
,, 7.	15	,, exhibiting great ignorance.	
,, 8.	22	,, scarcely intelligible.	
	60		

The only accurate specimen was written by a young man of 17, who had been well instructed in a school of superior character. The errors of the 5th class of examples were '*daly*,' '*trespas*,' '*temtation*,' &c. '*Hallowed*' was spelt accurately; intimating, it may be hoped, an acquaintance with the meaning of the clause to which the word belongs. Ignorance becomes more striking in the mistakes of the 6th class; who, in no case, spelt the word 'hallowed' correctly: writing '*halwed*,' '*hlwod*,' '*halawed*,' '*halawad*,' &c. Of the attempts of the 7th class I give the following specimens:—

1. 'Hour father witch hart in haven,' &c.
2. 'Our father wicth chart,' &c.
3. 'Hour father which heart,' &c.
4. 'Oure fathar Wich art.' &c.

Deplorable as the want of instruction is, which the above exam-

ples show, the authors of them, nevertheless, have a certain lip, and ear, acquaintance with what they so imperfectly express in writing. If we were to hear them *repeat* the prayer, or *read* what they had written, we should give them credit for greater acquirement than they possess; and, certainly, have evidence of a *habit* which implies some little religious training and sentiment. Even the eighth class of attempts shows that something in the nature of prayer has been communicated, at some time, to the poor creatures who are content to offer to Heaven such sad, though unintentional, mockery as their words must constitute. In this eighth class I have placed 22 specimens; and, however ungrateful the task, it is, I think, necessary to copy some of them; were it only to exhibit the real amount of knowledge in persons who might be hastily set down by some enquirers as 'able to read and write;' and therefore fit to be included among the 'educated.'

1. 'Hour fathar with har in heven . . . . thy Cingdom coum,' &c. (written in a fair hand; writer aged 39.)
2. 'Ower father who art in heven all wead by thy neama thy will dun on erth,' &c. (writer aged 17.)
3. 'Owr father Whitch art in hevin hlewed,' &c. (writer aged 21.)
4. 'Our father With Chartive,' &c. (writer aged 26.)
5. 'Hour father Wich art in heren All Wed,' &c. (writer 16.)
6. 'hou Father wich ar in haren halwhed,' &c. (writer 20.)

Twelve examples of the remainder of this eighth class were so unintelligible as to make copying them a difficult task.

Eighteen prisoners of the 7th and 8th classes had been convicted of felony, and were noted in our calendars as able to read and write '*imperfectly*.' The description cannot be said to be wrong, when all the degrees of instruction possessed by prisoners are comprised under four heads, viz.:—

'n.' . . . 'neither read nor write.'
'imp.' . . 'able to read and write imperfectly.'
'well.' . . 'able to read and write well.'
'sup,' . . 'superior education;'

but, certainly, no sufficient idea of the actual want of knowledge is conveyed by the '*imp.*' of our calendars, when it is made to comprise such instances as I have presented. It would seem, indeed, that some of the '*imperfect*' reading and writing, when tested, only serves to demonstrate an amount of ignorance greater than could be supposed possible, even in persons who are marked in the calendar as capable of neither one nor the other. The entire number of male prisoners, among whom the 60 writers were included, was 185. One hundred and twenty-five of them are to be supposed, then, as provided with less knowledge than the worst of the 60! In fact, the results which I have just exhibited agree substantially with the official returns given by Mr. Redgrave in his 'Criminal Tables for 1847.' That agreement will be better perceived after a glance at the following classification of the 185 prisoners already mentioned:—

1.	Well instructed (class 1, p. 35) ...	1 or 0.5 per cent.	
2.	Adequately instructed (classes 2 and 3)	4 „ 2.0	„
3	Instructed more or less imperfectly (classes 4, 5, and 6)	18 „ 10.0	„
4.	Exhibiting great ignorance (class 7)	15 „ 8.0	„
5.	„ deplorable ignorance (class 8)	22 „ 12.0	„
6.	„ a yet lower mental and religious condition—*home heathens*	125 „ 67.0	„

The 4th, 5th, and 6th classes of the above, comprise 87 per cent. of the whole; and Mr. Redgrave's Tables show that the criminals of 1847, 'unable to read and write,' and 'able to read and write imperfectly,' amounted, together, to a little more than 90 per cent. It is a melancholy consideration that in a civilized country 31 per cent. (by the criminal tables) of any order of people should be altogether unable to read and write; and it is almost as sad to think of the additional amount of ignorance which lurks under the designation—'*able to read and write imperfectly!*'"

Time did not bring with it improvement, and in his *Report*, for the year 1852, Mr. Clay wrote—that "About 42.5 per cent. are totally wanting in the ability to read, and about 38 per cent. are entirely destitute of the most elementary religious knowledge. Of prisoners committed for trial, 215 out of 271 are, on the other hand, well instructed in the stories of Turpin and Sheppard!"

Thus Mr. Clay wrote in 1852; and those who are acquainted with the history of any question connected with prison discipline, prison statistics, or the reformation of criminals, arising within the last thirty years, will understand the weight and authority which belong to any facts stated, or any arguments advanced by the Rev. John Clay. If to be careful, cautious, and indefatigable in collecting facts; and if to be able, clear, calm, and logical in arguing from the facts so collected, constitute a statistician worthy of consideration, Mr. Clay is entitled to the most unhesitating and complete confidence both as to the accuracy and wisdom of his conclusions.

Younger in experience, though equal in zeal to Mr. Clay, is the Rev John Field, Chaplain of Reading Prison; and in his *Fifteenth Annual Report*, to the Justices of the county of Berks, assembled at the Michaelmas Sessions, held at Abingdon, Monday, October 16th, 1854, Mr. Field thus expresses his opinions, founded on undoubted evidence, as to the state of ignorance in which those coming under his inspection were immersed. He writes:—

"Without repeating remarks which I have before made on the

most conspicuous causes of crime, it is my duty to mention some, to which offences committed during the past year have been clearly traceable. First of these is the ignorance, concerning which every year proves the proverb as true as it is trite, that it is the parent of vice. More than a third in your prison during the last year have been unable to read, nearly two-thirds had either not been at school at all, or for a period of less than two years, whilst not a tenth part of them could read and write with the common accuracy of children, who had been three or four years under tuition in our national schools; and their want of acquaintance with those religious truths which point out the means, and supply the motives for resisting temptation was even more remarkable. Such a statement will probably excite your surprise, considering the laudable provision for instruction which has been made, during late years, in this county. The fact, however, is alike important and significant. Very far from detracting from the value of such provision, it leads us to infer, that but for such a preventive, crime must have overspread and desolated our land, whilst it ought to excite enquiry as to how it happens that,—since the number so grossly ignorant is greatly reduced,—the number of our criminals is not diminished to a corresponding extent. I believe that this question may be at once answered. If there has been a lessening of the uneducated population, yet, for those remaining ignorant, incentives to sensuality—and consequent crime—have been multiplied; and hence this class, although diminished, has furnished so large a proportion of our criminals."

Mr. Field wrote thus of the Reading Gaol; and of the Abingdon Prison, also in the county of Berks, its Chaplain, the Rev. Edward Geare, gave the following statistics of Education to the same Grand Jury:—

"Of the prisoners committed to the Abingdon Gaol, there were found to be on their admission:—utterly ignorant, 80; read imperfect, 100; read and write imperfect, 145; read and write well, 30. The non-attendants at school are those who have been committed for a few days only, or sufficiently instructed before their admission. With very few exceptions those who have attended a month and upwards are returned as improved and much improved. The prisoners are always taught to regard admission into the school as a privilege, and this privilege is forfeited for a season on any case of misconduct proved against them. In almost every such instance they have of themselves solicited re-admission."*

From this last evidence it would appear that many of the prisoners had attended school, and at some period had helped to swell the roll of scholars. But what was the class of instruction? 100 read imperfectly; 145 read and wrote imper-

*For the two above quoted most admirable Reports, see "The Reading Mercury," Saturday, October 21st, 1854.

fectly,—and with those figures before us how grave a truth is shown in a succeeding paragraph of Mr. Geare's *Report*, in which he adds, that the prisoners solicit admission to the school, and "with very few exceptions those who have attended a month and upwards, are returned as improved and much improved." But who was the teacher, where was the seminary?—*The gaol schoolmaster and the gaol school, the school-patron being the gaol Chaplain.*

We have selected the *Reports* of Mr. Clay and Mr. Field, first, because these gentlemen are the best known Chaplains of the Kingdoms, and men of admitted ability; and secondly, because their districts, Lancashire and Berkshire, are not supplied with school accommodation. According to the Census of 1851, the school accommodation and school attendance in Preston, and in the county of Berks, may be thus classed:—

DESCRIPTION OF SCHOOLS.	PRESTON. *(Municipal Borough.)* Population, 69,542.			
	No. of Schools.	Number of Scholars belonging to the Schools.		
		Total.	Sex.	
			M.	F.
DAY SCHOOLS - -	88	7677	4243	3434
PUBLIC DAY SCHOOLS.	22	5312	3031	2281
PRIVATE DAY SCHOOLS	66	2365	1212	1153

We give, in the next table, the School accommodation and attendance in the county of Lancaster:—

DESCRIPTION OF SCHOOLS.	LANCASTER. *Population*, 2,031,236.			
	No. of Schools.	Number of Scholars belonging to the Schools.		
		Total.	Sex.	
			M.	F.
DAY SCHOOLS . . .	3014	215,847	121,149	94,698
PUBLIC DAY SCHOOLS .	1036	150,338	86,918	63,420
PRIVATE DAY SCHOOLS .	1978	65,509	34,231	31,278

To the above totals may be added this fact, that Preston has 35 Sunday Schools attended by 11,187 scholars, of whom 5,166 are males and 6021 are females.

With these figures before him the reader can fully comprehend the melancholy importance of the following tables, from Mr. Clay's *Report* for 1848, on the knowledge, secular and religious, possessed by the prisoners committed in that year to the Preston House of Correction:—

TABLE No. 20, *(Persons.)*

Education of Prisoners.

EDUCATION.	SESSIONS.			SUMMARY.		
	M.	F.	PER CENT.	M.	F.	PER CENT.
Unable to read - -	125	48	51·2	429	142	54·6
Read only - - -	52	18	20·7	211	36	23·6
Read; write ill - -	81	7	26·	214	8	21·2
Read and write well -	5	0	1·4	4	0	·3
Superior education -	2	0	·6	1	0	·1
	265	73		859	186	

TABLE No. 21. (*Persons*)
Religious knowledge of prisoners.

DEGREES OF KNOWLEDGE.	SESSIONS.			SUMMARY.		
	M.	F.	PER CENT.	M.	F.	PER CENT.
Ignorant of the Saviour's name, and unable to repeat the Lord's prayer	95	32	37·5	288	99	37·0
Knowing the Saviour's name, and able to repeat the Lord's prayer more or less imperfectly	139	36	51·7	497	81	55·0
Acquainted with the elementary truths of religion	29	5	10·0	73	6	7·6
Possessing that general knowledge level to the capacities of the uneducated	2	0	·6	1	0	·1
Familiar with the Scriptures, and well instructed	0	0		0	0	
	265	73		859	186	

TABLE No. 22. (*Persons.*)
Intended to shew the degree of ignorance in prisoners, on the most ordinary subjects, as compared to their direct or indirect acquaintance with demoralizing literature: the centesimal proportion calculated on the aggregate of the committals (338 sessions, and 1045 summary cases).

DEGREES OF IGNORANCE, &c.	SESSIONS.			SUMMARY.		
	M.	F.	PER CENT.	M.	F.	PER CENT.
Unable to name the months	156	53	61·8	486	147	60·5
Ignorant of the name of the reigning sovereign	154	46	59·1	489	129	59·1
Ignorant of the words, "virtue," "vice," &c.	157	51	61·5	479	132	58·4
Unable to count a hundred	8	15	6·8	103	31	12·8
Having read, or heard read, books about Dick Turpin, and Jack Sheppard	146	32	52·6	392	68	44·0

The following table shows the state of school accommodation in the county to which the *Reports* of Mr. Field and Mr. Geare more immediately refer:—

DESCRIPTION OF SCHOOLS.	BERKS. *Population*, 170,065.			
	No. of Schools.	Number of Scholars belonging to the Schools.		
		Total.	Sex.	
			M.	F.
DAY SCHOOLS - -	507	22,649	11,644	11,005
PUBLIC DAY SCHOOLS -	218	16,584	8729	7855
PRIVATE DAY SCHOOLS	289	6065	2915	3150

We have referred to these *Reports*, and to those figures from the Census, as they prove most clearly that with our present system of education the school accommodation of England is insufficient; and they serve to prove with how great caution we should receive evidence of the educational advancement of the people, founded upon school attendance. From Preston and from Reading we discover the shameful ignorance of those who must have received some School instruction, and must have served to swell the returns of the roll of scholars; deceiving us by the semblance of acquired education, whilst unblessed by the weakest ray of its lights.

Reading and writing are nothing, even if they are fully acquired, unless they form part of a good and sound system. The system can only be imparted in its best phases by carefully trained instructors. The Census gives us vast numbers of children, between the ages of three and fifteen years, of the working classes, attending the schools: Mr. Mann has gathered them from all quarters, and from all classes of free schools, and he writes, " whilst among the middle and upper classes the average time expended on their children's school

education is about six years, the average amongst the labouring classes cannot much exceed four years. If this be so, the inference appears inevitable, that very few children are completely uninstructed; nearly all, at some time or other of their childhood, *see the inside of a School-room, although some do little more.* Upon no other supposition, can the constant presence on the School-lists of the names of upwards of 2,000,000 children, between three and fifteen, out of 4,908,696, be consistent with a brief school period for any considerable portion of the former number." We are not anxious to detract from the great merit of the Census, but knowing that one of the English Inspectors of schools has stated that the "average duration of attendance is less than two years," we cannot accept these figures or deductions of Mr. Mann as accurate.*

Our chief objection to the passage quoted from the Census Report is, that Mr. Mann seems satisfied with the fact that children in many cases attend, and that nearly all some time or

* In the number of "The Journal of Progress" for June, 1854, at page 23, the following strictures, on this portion of the Census appeared:—"If working class children remain only four years on the average at school, and the other classes six years, it is physically impossible that even in the wide range of years between three and fifteen, there can be anything approaching to 2,000,000 children on the books, or even that the actual *attendance* should amount to 1,754,812, as is stated in page 4 of the Return. This follows from the facts, figures, and authorities, stated by Mr. Mann himself, without the aid of any extraneous data. He makes a total of 3,663,261 children who should be at school within these ages. He assumes that *a fourth part* (which equals 915,815) belong to the upper and middle classes, and that three-fourths (2,747,446) are of the working class. Now as the former stay six years, or half the whole period at school, there can be only one half, or 457,907, on the books at one time. Similarly there can be but one-third of the working class children; for they stay but four years, or one-third of the whole school age; and this gives 915,815, the total number of both classes thus being only 1,373,722, instead of the 2,144,378 returned by the Census! Even if we throw in all the children whom Mr. Mann has been at the pains of deducting from those who ought to be at school, and give him and the Census the benefit of every individual child between the age of 3 and 15, sick or well, still he cannot eke out the number consistently with his premises. Taking the whole 4,908,696 children, and assuming as before, that the same proportions as to class and average duration of stay in school obtain, as Mr. Mann has laid down, even then only 613,587 upper class, and 1,227,174 of the lower—total 1,840,761—could be on the books at once."

We do not agree with the tenor, or argument of this passage, but coming from one well known in the ranks of education reformers, and a man too, of experience, we think it advisable to insert it. "The Journal of Progress" was discontinued in August, 1854—the 4th number.

other see the inside of a school-room. This is precisely the point on which all Mr. Mann's errors are founded, and it is by this species of computed attendance, and by taking into account even the little children, pupils of the Dame Schools, that he has been enabled to swell the returns of school attendance. It is by this species of attendance that such ignorance as that shown in the Preston and Reading *Reports* can be discovered amongst those stated to have attended school. We have glorified ourselves upon the progress of the national mind; we have opened Mechanics' Institutes in all our towns; we have gone, like a Yankee skipper, bragging and boasting that we are of a great nation—and what is the plain fact—that we require school accommodation, now, according to Lord Brougham, for 300,000 children, to be increased by 20,000 yearly with the increase of the population; that this deficiency is greatest in the large towns; that the number of teachers is still more deficient than the number of schools; and that the pay of the teachers is thus low in the county of Lancaster, and equally low in the other parts of the kingdom, as the following table proves:—*

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* On this point, we find these excellent observations in Dean Dawes' "Suggestive Hints":—

"The rising generation of schoolmasters must not judge of the future from the past: hitherto they have been ill paid and little thought of; but very often this has arisen from their being ill qualified for the duties they had to perform: as an honest old dame said to one of the inspectors, 'It is but little they pays me, but then it is but little I teaches 'em.' In many cases, in such parishes as have a schoolmaster, he has been appointed, not from any fitness for the office, but because he had failed in every thing else, or some labourer able to read and write, and was made schoolmaster to keep him from the parish. The schoolmaster may rest assured of this, that the better he is qualified for his situation, the more he will make society feel his worth, and instead of appointing the worst men who can be found, as the rate-payers of a parish, when they have had a voice in the matter, have been apt to do, both labourer and employer will unite and struggle to get the best schoolmaster they can—the best qualified in every respect, and one who will make the importance of his office felt, by the better education he is diffusing among them."

REMUNERATION OF TEACHERS IN PUBLIC SCHOOLS.

COUNTY OF LANCASTER.

DESCRIPTION OF SCHOOLS.	Male Teachers.							Female Teachers.						
	Masters.				Paid Monitors and Pupil Teachers.			Mistresses.				Paid Monitors and Pupil Teachers.		
	Number.	Aggregate annual Remuneration.	Average per Master.	Number who have Residences found.	Number.	Aggregate annual Remuneration.	Average for each.	Number.	Aggregate annual Remuneration.	Average per Mistress.	Number who have Residences found.	Number.	Aggregate annual Remuneration.	Average for each.
		£	£ s.			£	£ s.		£	£ s.			£	£ s.
PUBLIC DAY SCHOOLS - -	301	17511	58 3	83	132	1257	9 10	275	8610	31 6	89	105	647	6 16
Classification of Public Schools.														
Class I.—Supported by General or Local Taxation - - - -	11	337	30 13	5	17	110	6 10	8	220	27 10	8	13	120	9 5
Class II.—Supported by Endowments - - - - - -	81	4869	60 2	35	6	53	8 17	24	807	33 13	13	5	24	4 16
Class III.—Supported by Religious Bodies - - - - - -	165	9222	55 18	35	103	1041	10 2	223	6851	30 14	62	87	503	5 16
Class IV.—Other Public Schools -	44	3083	70 0	8	6	53	8 16	20	732	36 12	6	—	—	—

That we are receding in some branches of ordinary school instruction is proved, by the following passage in Mr. Mann's *Report*, referring to the indications of education as afforded by the numbers signing the marriage registers by *marks* :—

"If from time to time an *increase* or a *diminution* in the number of marks, proportioned to the number of marriages, is manifested, then, although no positive criterion perhaps can be presumed, the inference is almost unavoidable, that education at the periods respectively at which one portion of the married persons was at school must have been either more or less effective than it was when the other portion was at school. If at the end of a ten years' interval the number of marks is less in proportion to the marriages than it was at the beginning of the interval, this seems to show that (the average age of marriage being 25) the state of education 15 years before the more recent date was better than it was 10 years earlier, or else that more inducements to retain the knowledge once acquired were existing at the former period than at the latter. It appears, from the Registrar General's Eleventh Annual Report, that the number of marks per cent. in 1839 was 41·6, in 1840 it was 42·0, and in 1841 it was 40·8; while in 1851 the proportion had declined to 38·0. So that, judging from this test, instruction was more effective, or the art of writing was better retained, in the period 1833-38 than it was 10 years before (1823-28). The improvement seems to have been nearly equal in each sex; the proportion of marks by males having fallen from 33·7 per cent. in 1839 to 30·8 per cent. in 1851; while the proportion of marks by females fell from 49·5 in 1839 to 45·3 per cent. in 1851. The average age of marriage being 25, the marks appearing in the registers of 1851 must be attributed to the neglect of 15 or 18 years ago when the persons married were in their school-age: the extent and value of the education given in more recent years (so far as the same can be inferred from marriage marks) can only be exhibited by taking the marriages of *younger* persons; and if the marriages of *minors* in 1851 be taken (which will probably show what was being taught, and how, about 10 years ago), the extraordinary fact presents itself that of 31,987 minors married in 1851 (7,737 males and 24,250 females), no less than 52·6 per cent. were unable to sign their names (viz. 42·7 per cent. of the males and 55·8 per cent. of the females.)"

These are not satisfactory evidences to him who desires that this Nation should advance in education as it advances in power and in wealth. We may design the steam engine, and the steam ship; we may be the merchants of the world, and the manufacturers for all nations; wherever the sea may ebb and flow, and wherever the foot of man may tread, our standard may float, our language may be spoken, and our religion may be taught, but despot ridden Prussia, and republican America show us examples of a people who may be proclaimed all educated—because the Government of each considers it a duty to educate the youth of the nation without distinction, and deems it also a duty to give the adult every means of intellectual improvement. England has de-

ficient school accommodation; it has inferior instruction; it has badly paid teachers, and all this occurs in the land where John Milton wrote that *Tractate of Education*, which tells us that "though a linguist should pride himself to have all the tongues that Babel cleft the world into, yet if he had not studied the *solid* things in them, as well as the words and lexicons, *he were nothing so much to be esteemed a learned man as any yeoman or tradesman competently wise in his mother-dialect only.*"

That we can accomplish the desired object of extending education to all, is as undoubted as that we are improving slowly in our system; but the great work can only be achieved by throwing open our schools to ALL for secular instruction, untrammelled by the teaching of any particular creed during the hours of associated instruction—that is, by making our schools NATIONAL. By adhering to the opposite course we have driven the Dissenters into a bitter antagonism, not a generous rivalry, and the rampant Calvinism of Wales has grown more virulent through the ignorance of the people. Upon this point we need only refer to the evidence of that able, excellent advocate of education, the Dean of Hereford, who writes:—

"From the Report which has lately been published on the state of Education in Wales, there is one thing which appears very remarkable, independent of the lamentable state of ignorance which seems generally to prevail, which is this: that in those districts where the people seem to have a very considerable knowledge of Scripture, the state of their morals is of the lowest and most degrading kind—in this fact the evidence of the clergy of all denominations seems to agree. Something of the same kind I have myself observed in the south of England, and it is by no means an uncommon thing to find in some, nay, I should say in many of that class, an aversion to their children being taught anything of a secular kind—as if secular instruction partook in some measure of the nature of sin; this is no doubt a state of gross ignorance greatly to be pitied, and which will in the end be corrected by the influence of a better educated class, as this becomes diffused among them; but the singular and almost unaccountable part of it is, that this apparent knowledge of Scripture should have so little influence on their moral conduct; that it should never enter into their minds (or, if it does, they do not regard it) that Scripture truths are intended as rules of life; whether the sort of familiarity which they have with Scripture phrases, and the constant habit of interweaving them into their conversation, can have led to this I do not know, but such is the fact.

"Nor is this even in England confined to the labouring class; there are many of those of the class above them, particularly of

those who are uneducated, to whom the same remarks would extend. A man who gravely tells you, 'I does the best I can to get an honest living,' and perhaps quotes some text in Scripture to support his views, at the same time knowing that the very principle upon which he acts towards those about him makes it almost impossible for them to do so, cannot be said to make the proper application of his religious knowledge." *

Thus far we have written of England and Wales; and shall now place before the reader some facts and figures shewing the state of education in Scotland. With a population of 2,888,742 inhabitants, it appears, making all allowances for deficient returns, we may assert that Scotland possesses educational accomodation for about 14 per cent. of the people, or that 1 in 7 of the inhabitants attends school. The Sunday scholars of all denominations amount to 407,642, being 13·4 per cent. of the inhabitants. In the returns made of these Sunday scholars, the Established Church numbered 79,233; the United Presbyterian Church 54,324; the Free Church 91,328; and the Roman Catholics 13,015. Returns were received from 438 Evening Schools for adults, containing 15,071 scholars. With the following table we close our reference to Scotland :—†

* See "Suggestive Hints towards Improved Secular Instruction, Making it Bear upon Practical Life. Intended for the Use of Schoolmasters and Teachers in our Elementary Schools, for those engaged in the Private Instruction of Children at Home, and for others taking an Interest in National Education." By the Rev. Richard Dawes, A.M., Dean of Hereford. Sixth Edition. Introduction, p. xiii. London: Groombridge, 1853.

† In the forty-third number of "The North British Review" there is a very ably argued paper on "Popular Education in Scotland." It urges the formation of a pension fund for retiring school masters—and demands increased salaries for this most useful body of men; it also enters earnestly into the subject as an advocate for the formation of Normal Training Schools.

DAY SCHOOLS.

Classified according to their Sources of Maintenance.

SUMMARY OF SCOTLAND.

DESCRIPTION OF SCHOOLS.	Number of Schools.	Number of Scholars.						
		Belonging to the Schools.			Attending on the day of the Census.			
		Both Sexes.	Males.	Females.	Both Sexes.	Males.	Females.
ALL DAY SCHOOLS -	5342	368,517	205,348	163,169	310,442	173,330	137,112
PUBLIC DAY SCHOOLS -	3849	280,045	161,754	118,291	223,442	135,043	97,399
PRIVATE DAY SCHOOLS -	1893	88,472	43,594	44,878	78,000	38,287	39,713
Classification of Public Schools.							
Class I.—Supported by General or Local Taxation	1039	88,900	58,007	30,893	76,431	49,363	26,068
Class II.—Supported by Endowments - - -	491	39,537	22,100	17,437	32,901	18,403	14,498
Class III.—Supported by Religious Bodies - -	1886	114,739	62,715	52,024	93,211	51,357	41,854
Class IV.—Other Public Schools - - - -	434	36,869	18,932	17,937	30,899	16,920	14,979

These are the chief facts bearing upon the state of the education of the poor in Great Britain. No social problem is so difficult to solve as that which arises when we demand, how shall the defects and deficiencies of our present systems be remedied? The educational advocates of the kingdom, we are writing of Great Britain only, are divided into two parties, and three sections. The Voluntary Party is that which holds that all educational aid afforded by the State, save to paupers and to criminals, is an infringement upon the duty and right of parents. They contend that if the

State were to interfere in this question it would hold out a bounty to parents to neglect the duty of educating their children, at their own cost. They say that experience has plainly shown the vast advantages of Voluntaryism; and refer, in support of their opinions, to the numerous educational institutions which have been founded and supported by voluntary agency in these countries. Another of their principles is, that religion should be taught in all Schools, and as the State will not uphold the School teaching of any religion but that of the Established Church, they are of course unable to support any scheme of State education which leaves particular religious instruction an open question. To this Voluntary Party belong the Baptists, many of the Wesleyans, and the Society of Friends.

The State Party are those who contend that the State is bound to provide educational institutions for its people, and to compel, as far as our laws permit compulsion, the attendance of the children. They found their arguments upon the right of the State, upon the inadequate number of Schools now existing; and they hold that the public recognition by the Government of the necessity of education, as would be evidenced through the assessment of a special tax for its furtherance, could not fail to be advantageous in a very remarkable degree. From this party have sprung the three sections to which we have above referred. The first consists of those who are supporters of the Committee of Privy Council, and to the usefulness of this Board we have already given the testimony of Lord Brougham. The income of the Board, for the year 1853, amounted to £260,000. The funds are distributed to schools of all denominations, in aid of sums raised to a certain amount, in the locality in which the School is to be conducted, and when in operation the Schools must be open to the Inspectors of the Committee. * Although aid is given to schools of all denominations, it happens that as the Baptists and Congregationalists refuse aid, and as most other of the dissenting bodies are unable to raise amongst themselves the amount requisite to entitle them to assistance, about nine-tenths of the grant are given to Schools of the Established Church.

* The grants are given to Roman Catholic Schools with the expressed agreement, that the Inspectors are to examine into the state of secular instruction, but not at all into the condition of religious teaching.

To the plan of educational support, as carried out by the Committee, it is objected that it tends to contralize the controlling power in the hands of a Government Board, and its Inspectors; that it distributes its funds unequally; that the Committee does not sufficiently aid the Schools of the Established Church; that the stipulations as to inspection, and management by the Board cramp the liberty of the founders of Schools: in short every objection is made to the Council of Education, and it would seem that each section of the community considers the Board a fit object of complaint and condemnation, the complaints being very frequently thoughtless and unjust.

Those who hold opinions hostile to the system of the Council, have expressed their own sentiments upon the subject of education, and have developed their theory, which may be taken as comprised in these terms:—

No voluntary aid.
Local taxation and control.
Instruction entirely gratuitous.*

These principles are sufficiently plain, and are adopted by those who disapprove the system on which the Committee work; but it is open to one very grave objection, namely, that an education entirely gratuitous is proved, by the American school statistics, to be extremely unsatisfactory; and the principle of a general taxation in aid of free education would but render parents more unable to contribute to support schools requiring some small payment; and thus private and voluntary schools would be destroyed; a thing much to be lamented, because no educational party in the state contemplates a measure rendering the attendance of children at free schools compulsory.

Those who advocate the principles of education above stated form a very large party in Great Britain; but the "Religious Difficulty" has interposed here, as in the Reformatory School Movement, and has divided the party into two sections, one known as The Local Denominational Party, the other generally called The Secular Party. To this latter, when *correctly*

* We do not quite agree with this principle; it seems to us very like saying to a ragged boy, "my little fellow, you want a breeches very badly, and your father can very well afford to buy you one, but he shan't do it, and you must go tattered till somebody gives you a breeches 'gratuitously.'"

designated, and when properly and clearly understood in its fair, christian, and equitable principles, we give our fullest and heartiest support—it is the principle upon which the Irish National System of Education is founded. The Local Denominationalists would teach the common truths of Christianity, in which *all* creeds agree; that is, they would oblige the children in their schools to hear read each day a portion of the Scriptures, in the authorized version, but no child shall be compelled, contrary to the desire of its parents, to learn the catechism of any particular religious body. This was the principle of the Manchester and Salford Boroughs Education Bill; and the advocates of that measure honestly thought that they were by it giving secular and religious education, yet, at the same time, securing the most perfect religious freedom.

However, by this plan the Roman Catholic would be deterred from secular instruction, as with it he should take religious teaching from the authorized, or Protestant, version of the Bible, and this is not permitted by his Church. Those who support the views of the National Society cannot adopt any school from which the Catechism is excluded, and which does not require attendance at church; whilst the Dissenters, objecting to any religious endowment, could not send their children to the schools, and would be forced to pay a double tax; first, to support schools which they could not conscientiously allow their children to enter, and secondly, to support schools of which they really approved.

We have now placed before the reader, concisely, the condition of all the educational parties in Great Britain, and we have shown, by Mr. Mann's assistance, the true state of all the facts bearing upon this most important social question: split, and sectionized as the parties are, squabbling as they are even now about religion, what is left for those who desire to attempt to supply the deficiency in school accommodation, and in the quality of education afforded, but to support that body of educational advocates, miscalled, the Secular Party? It has succeeded in America; it has succeeded in Ireland; it will, if fairly worked succeed nobly in England, for its great principle is Religious Liberty, and free, yet careful teaching of Religion. It is not Free Religion founded on sound Protestant, or sound Calvinistic, or sound Roman Catholic principles, it is simply Free Religion. The Secular Party contend that children of all religions shall attend school for secular instruction in common, and

that at specially appointed times they shall be instructed, separately, in the creeds to which their parents belong. The secular instruction shall be daily, the religious teaching shall be daily, or weekly, or as often as the pastors may desire to impart it. We fully agree with the sentiment expressed thirty-four years ago by Lord Brougham when he said,—"a religious education is most essential to the welfare of the individual. To the rich it is all but everything; to the poor it may be said, without a figure, to be everything. It is to them that the Christian religion is especially preached—it is their special patrimony; and if the Legislature does not secure for them a religious education, they do not, in my opinion, half execute their duty to their fellow-creatures." What Lord Brougham thus spoke on the 28th of June, 1820, he explained in the following terms on the 4th of August, 1854,—"We hear of maladies breaking out in certain districts detached one from another. The great evil of ignorance is also found to exist dispersed; and I would apply to it a *sporadic* remedy by giving our municipal bodies the power of planting schools at the cost of the community subject to their government, but schools open to the children of all, whether Protestants or Catholics, Churchmen or Dissenters, and kept open by rules preventing all compulsory teaching of catechism, all compulsory attendance on divine service. This has been found easily effected in the North, upon the principles so wisely and so liberally laid down by Doctor Hook; for at Edinburgh I know that the children of various sects receive religious instruction in the same place at different hours, from different pastors, while they receive secular instruction at the same hours from the same teachers."

It is not, in our mind, the duty or the right, of any tramontane State to rear its people, in their despite, in any peculiar faith, but to rear them honestly and fairly, in any faith in which they, themselves—the people—may declare their belief; and we consider it to be the grave and important office of the same State to rear its youth in the fullest illumination of knowledge suited to their condition in life. There is a freedom of constitution which permits men to say—you shall have education, but with it you must take my religious teaching—do not take it, and you are at *liberty* to learn as best you can; this is not the language which a State should address to its people; it is difficult enough for a Legislature to rear loyal subjects, without troubling itself to rear them loyal Protestants, or loyal Roman

Catholics in addition—give them the means of becoming Protestants or Roman Catholics as they may please, and still the great work of teaching them to be good subjects, in a country of mixed religions, continues difficult as ever. With knowledge comes power; to treat the religion of a people who are being educated, as idolatry, or heresy, is not calculated to make good subjects, though it may render them bigoted fanatics. In giving them that power which ever comes with education we must encounter and surmount the difficulty which Talleyrand, more than sixty years ago, in his *Rapport sur l'Education*, indicated when he wrote,—"La plus grande de toutes les économies, puisque c'est l'économie des hommes, consiste dans les mettre tous dans leur *véritable position*." This truth was still better, and more powerfully expressed twenty-four years ago by Archbishop Whately, in a sermon preached for the benefit of the Halesworth and Chedisten National School, when he said,—"If the lower orders are to be the property, the slaves of their governors, and to be governed not for their own advantage, but entirely for the benefit of their rulers, then, no doubt, the more they are degraded towards the condition of brutes, the more likely they are to submit to this tyranny. But if they are to be governed as rational beings, the more rational they are made, the better subjects they will be of such a government."

The inferences to be drawn from these opinions of the statesman, and of the churchman are—that if you educate a people you must be prepared to rule them wisely. Doubtless religion must be the foundation of every wise system of true education, and it behoves a Legislature to enable all who acquire secular information to acquire, at the same time, that Christian knowledge without which the difficulty indicated by Talleyrand becomes an insurmountable obstacle; and the alternative expressed by Doctor Whately is proved in its most degrading aspect. In a community of mixed creeds, the religious difficulty question is one which interposes very seriously wherever a Government attempts to guard itself against the mischiefs arising from the ignorance or the miseducation of its people. Lord Brougham has boldly grappled with all sectarianism on this point. He says that the religious divisions of these Kingdoms "are well calculated to make us feel all the difficulty of combining the two kinds of instruction in one system. On one side we have the Establishment and its schools, where the

Catechism is taught, the Liturgy used, and attendance on the Church service required; and here there is no difficulty, because the hundreds of thousands of children attending their schools, and answering to the millions of churchmen, belong to one body, all professing a religious belief which is one and the same. So it is sometimes said, there being the Dissenters on the other hand;—let schools be provided for their children, where no Church Catechism, Liturgy, or attendance is required, but the instruction is given according to their dissenting views. And nothing could be more easy than such an arrangement if the sects, like the Church, were one and the same; but unfortunately they are five and thirty, 27 British and 8 foreign; there are divisions and sub-divisions: thus, when we speak of Methodists as a sect, we are speaking of nine sects; for there are the two great divisions of Arminian and Calvinistic, and the Arminians are sub-divided into seven, the Calvinistic into two. So the Baptists are five sects, not one; and thus, when we speak of Methodists and Baptists as if they were two sects, we in fact are speaking of no less than fourteen, which, with the Roman Catholics and Presbyterians, the Independents, the Unitarians, and others, make in all five-and-thirty different persuasions.* "True, some of these sub-divisions only differ from each other by slight variations, or shades of diversity in opinion; and hence, if we had no experience to guide us, we might infer that their repugnance to each other, their determination to keep aloof, their mutual repulsion, as it were, would be feeble in the like proportion. But, alas! alas! it is just the other way. The nearer they approach in doctrine and discipline, the wider is their severance in feeling; the more alike their religious belief and political structure, the more they disagree, the greater is their mutual repugnance. It seems to be the law that governs religious dissensions and spiritual animosity. The *Odium Theologicum*, seems, like gravitation, only that it is repulsive and not attractive, to act inversely as the distance, or even in a higher proportion to the proximity of faith. To establish any thing like a common action among the zealots of these sects, is manifestly impossible. NOTHING COULD SATISFY, OR INDEED APPEASE THEM, BUT THE ESTABLISHMENT OF SCHOOLS

* There are two or three more, but so small in numbers as not to require notice. Thus the Seventh Day Baptists have only 52, the Italian Reformers 20.

FOR EACH OF THE DIFFERENT PERSUASIONS, A THING UTTERLY IMPRACTICABLE."*

That ecclesiastics and philosophers have ever, in all ages, and in all times, from Zoroaster to the Rev. Dr. O'Sullivan, from St. Augustine to Archbishop Cullen, from Calvin to the Bishop of Ossory, claimed a vested right in the education of a people, is unquestionable, and indeed, in States where all are of one faith, the principle may be, in a great measure admitted, with certain rights reserved to itself by the Government. But in these our kingdoms, where thought is free, and men are, by the Constitution, guaranteed in the full exercise of their own peculiar creeds, education should be open to all, unchecked by any conditions requiring the scholars to receive indoctrination in the tenets of any religion to which their parents or guardians may object. The Episcopalian will not have religion from the Presbyterian, the Socinian will not be taught by the Methodist, the Roman Catholic will learn from none save those of his own faith; each, in our mind, should be bound to learn the truths of his own religion from his own selected teacher, and we press this matter the more strongly now, because in Ireland the cardinal point in this question, *Forbearance,* is being forgotten by an influential section of the community; whilst in England, according to Lord Brougham, "The schools can only be accessible to all by the exclusion of whatever shuts their doors against conscientious Dissenters. *Yet it is lamentable to reflect, that while the Church has thus distinguished itself, those who had originally taken the lead against all exclusive views, all dogmatic tests, all observances which could by possibility introduce disqualifications on religious grounds, have lately departed widely from those wise and tolerant principles.*"†

In writing the last pages we have been considering the peculiar condition of Ireland. During the twenty-one years which have elapsed since the opening of the National Schools, the system has been exposed to the most unjust and virulent opposition from a very powerful, and very wealthy portion of the nation. The high Toryism of the high Church party was ever opposed to it; with opponents of an ability rarely sur-

* See "Lord Brougham's Speeches upon National Education, House of Lords 24th July and 4th August, 1854." London: Ridgeway, 1854. p. 51.
† Ibid

passed; with influence in and out of the House of Commons, and of the House of Lords; with every species of disingenuousness and misrepresentation, has the Irish National System been forced to contend, yet because the system was a fair, secular system, such as is alone adapted to a people of mixed religions, the schools have risen from 789 in 1833 to 5,023 in 1853; and the numbers on the roll have increased from 107,042 in the former, to 556,478 in the latter year; yet knowing these results, and because the exclusivism of the English National School Society will not be adopted, the Bishop of Ossory and some other Prelates have become spiritual *Quixotes* against the Board of Education, with *The Daily Express* Newspaper for a *Sancho*, and thus the lofty dignity of the high Church, and the rampant virulence of low Orangeism meet on the common ground of bigoted separatism.

And yet, if one did not know the state of parties in Ireland, it might be expected that men would pause before they endeavoured to check the progress of an Irish National Educational Movement, the system of which owes its origin to a Tory noble; and which has received the approbation of some of the ablest and yet most determined political opponents who have lived in our era. Ireland has been, since the Union, as turbulent "a great difficulty" to England in educational as in financial questions. A Commission on Education in Ireland was appointed in 1806, and under it *fourteen* Reports were made. Another Commission was appointed in 1824-5; a Select Committee of the House of Commons reported in 1828, (this *Report* being particularly valuable as it contains a complete epitome of the evidence given before the previous Commissions). This last *Report* recommended that a system of education should be carried out, which would combine associated literary, and separate religious instruction. At this period "The Society for Promoting Education in Ireland," or as it was commonly called, "The Kildare Place Society," was the only Institution which might be considered a National Education Society for Ireland. It was instituted in the year 1814, but was not able to commence its active operations until 1817. It obtained, however, in the Sessions of 1814-15 a Parliamentary grant of £6,980, upon the understanding that its schools were open to all sects of Christians. Its plan, according to the prospectus, was as follows:—

"1. To assist by pecuniary grants, as well the forming and estab-

lishment of new schools, as the improvement of schools already in existence, upon condition that the principles of the Society be adopted for their regulation.

2. To maintain two model schools in Kildare-place, in which to exhibit the plan recommended, and to train masters and mistresses of country schools.

3. To receive masters and mistresses from the country, in order to qualify them for carrying the plans of the Society into effect.

4. To publish moral, instructive and entertaining books, fitted to supplant the objectionable ones then in use.

5. To supply to schools in connexion with the Society, gratuitously, and to all purchasers at cost prices, spelling-books, stationery, and other school requisites.

6. To maintain a system of annual inspection of all schools in connection with the Society.

7. To encourage by gratuities, but not by salaries, such masters and mistresses as should appear deserving."

Eventually, and before the sitting of the Committee of 1828, the schools had become, as the Roman Catholics thought, proselytizing, as the reading of the Bible was required; and a further charge was made against the Board of Management, that the funds were distributed in localities where aid was least wanted, but where friends of the Board resided. And they were accused, on the evidence of their own *Reports*, of having allocated more money to the county of Antrim than to the whole province of Connaught; and by the same documents it appeared, that of 127 schoolmasters appointed, only 49 were Roman Catholics.

Thus, even before 1828, "The Kildare Place Schools" had lost the confidence of the Roman Catholics, and from the date of its institution to the date of Lord Stanley's letter of "Instructions to the Duke of Leinster", in October, 1831, the Society had received the following sums, exclusive of the £6,980, granted in 1814-15, and exclusive of a portion of a grant of £37,500, voted for educational purposes in Ireland in 1831-32:—

"1816 ... £6,000	1823 ... £14,000	1829 ... £25,000
1817 ... 9,663	1824 ... 22,000	1830 ... 18,750
1818 ... 5,538	1825 ... 22,000	1831 ... 30,000
1820 ... 5,538	1826 ... 15,000	
1821 ... 10,000	1827 ... 25,000	Total . £290,479"*
1822 ... 10,000	1828 ... 25,000	

* Whilst writing the above account of the Kildare Place Schools, a little work entitled "Legends of Mount Leinster; Three Months in Kildare-Place; Bantry and Duffrey Traditions; The Library in Patrick-st.

In the month of October, 1831, the Earl of Derby, then Lord Stanley, and Chief Secretary for Ireland, addressed his "Instructions" to the Duke of Leinster, establishing the present National Schools in this kingdom, and in the following Session the Legislature withdrew the grant from the Kildare Place Society, but voted a small sum to be applied through a Board of Royal Commissioners, under certain regulations prescribed in the "Instructions," to the uses of its Schools.

The "Instructions" may be considered in two forms, as an original, and as an amended draft. By both, combined secular and separate religious teachings were directed, but in the latter form of draft, a sanction is given the Commissioners to introduce into the Schools, during the times of combined secular instruction, books containing extracts of a moral and religious nature, including portions of sacred history. It was provided that aid should be given to establish schools; that books should be supplied at reduced rates; that teachers should be trained; that inspectors should be appointed, in short every regulation was made calculated to render the system useful and effectual in carrying out a plan of mixed education, in which, whilst all were instructed in common in the knowledge of secular things, and acquiring with knowledge of books, a knowledge also of each other, the faith of each was secure from insult or from injury. Annual grants were made by Parliament in aid of the system, which amounted, in the five years ending 1836 to £155,500.

In the year 1837 a Select Committee of the House of Commons was nominated to enquire into the state of Schools of public foundation in Ireland, and which was composed of the following members :—

Mr. Wyse.
Mr. Shaw.
Mr. William Smith O'Brien.
Lord Viscount Mahon.
Sir Robert Ferguson.
Mr. Mackinnon.
Mr. Jephson.
Sir Charles Lemon.
Mr. Morgan John O'Connell.
Mr. John Ponsonby.
Mr. Lucas.
Mr. Lowther Chapman.
Mr. John Young.
Mr. Montesquieu Bellew.

By Harry Whitney, Philomath," Dublin; P. Kennedy, 1854, was placed in our hands. Its 8th chapter is devoted to a most interesting and amusing account of the Kildare-Place Schools, and entitled, "Three Months in Kildare-Place." It may interest some of our readers, as it has us, and it is written by an ex-teacher of the Society, and is a fair, accurate, and well written account of daily life in an Institution once very useful to the people of Ireland.

The very valuable *Report* of this excellent and able Committee was printed by order of the House of Commons, in August, 1838, and upon their recommended improvements of the plan of National Education, as designed by Lord Stanley in 1831, the entire admirable system as now carried out is formed.

From the completion of the improvements recommended in this *Report* the Irish National System has been approved by those of every country who were capable of forming an opinion on the subject of education; or who knew the difficulties which must be encountered by its advocates in a free country where mixed religions prevail, and where a conscientious adherence to creed is strengthened by the intermixture of political antagonism between the followers of different religions.

As plain facts and figures are mediums of explaining plain honest things, we insert here, from the *Report* of 1853, a table showing the progressive increase in the number of schools and in the number of scholars, since the institution of the system:—

No. and Date of Report.	No. of Schools in Operation.	No. of Children on the Rolls.
No. 1, 31st December, 1833, -	789	107,042
No. 2, 31st March, 1835, -	1,106	145,521
No. 3, do. 1836, -	1,181	153,707
No. 4, do. 1837, -	1,300	166,929
No. 5, do. 1838, -	1,384	169,548
No. 6, 31st December, 1839, -	1,581	192,971
No. 7, do 1840, -	1,978	232,560
No. 8, do. 1841, -	2,337	281,849
No. 9, do. 1842, -	2,721	319,792
No. 10, do. 1843, -	2,912	355,320
No. 11, do. 1844, -	3,153	395,550
No. 12, do. 1845, -	3,426	432,844
No. 13, do. 1846, -	3,637	456,410
No. 14, do. 1847, -	3,825	402,632
No. 15, do. 1848, -	4,109	507,469
No. 16, do. 1849, -	4,321	480,623
No. 17, do. 1850, -	4,547	511,239
No. 18, do. 1851, -	4,704	520,401
No. 19, do. 1852, -	4,875	544,604
No. 20, do. 1853, -	5,023	556,478

During the year ending December 31st, 1853, 148 new schools were opened, and the increase of scholars, during the same period, amounted to 11,874.

There are in addition 42 schools unfinished, (16 commenced within the year) and receiving building grants; and when these 42 schools shall have been completed, accommodation for 4,016 pupils will have been supplied. Ulster has 1,906 schools, and for the half year ending September 30th, 1853, had 153,686 upon the roll, with an average daily attendance of 70,040. Munster has 1,219 schools with a roll of 175,564, and an average attendance of 96,873. Leinster has 1,200 schools, with a roll of 145,266, and an average attendance of 70,674. Connaught, but lately become an applicant, has 698 schools, a roll of 76,115, and an average attendance of 33,777. These figures of the *rolls* and *attendances* are only to the 30th of September, 1853, but there must be added to them the following numbers from schools to which salaries were given during the three months from September to December 1853—on the rolls, 5,847, attendance 3,367, giving a total of 556,478, on the rolls, and an average daily attendance of 274,731, at 5,023 schools of the Commissioners of National Education in Ireland. Of the schools to which we have referred, the Workhouse schools are thus distributed. In Ulster 29; in Munster 50; in Leinster 34; in Connaught 28; giving a total of 141, and showing an increase of 8 schools within the year. The roll number was 53,972, and the average daily attendance 36,980. The assistance granted to these schools consists of books at reduced prices, gratuities of from £3 to £6 per annum to the teachers, and such advantage as must arise from periodical inspection. The total amount of gratuities to Workhouse Schools in 1853 amounted to £400 : 10s. It is worthy of note that of the 163 Irish Poor Law Unions, only 22 schools were unconnected with the Board.*

To the most important of the Schools under the direction of the Board we shall now refer, and of these the Marlborough-Street Model Schools are those best known, and most frequently inspected by visitors. On the 30th of September, 1853, the total scholars amounted to 1,529; of these 624 were males;

* For a Report for 1853, on these Workhouse and Prison Schools, by J. W. Kavanagh, the Inspector, see IRISH QUARTERLY REVIEW, Vol. iv. No. 15. p. 773.

509 females; 396 infants; and their religions were thus classified :—

	Males.	Females.	Infants.	Total.
Established Church,	106	59	32	197
Roman Catholics, .	496	446	358	1,300
Presbyterians, . .	20	3	3	26
Jews, ...	2	1	3	6

There is a minor school known as the West Dublin Model School, also exclusively under the care of the Board, which, for the *week* ending 30th September, 1853, had a roll of 396, and an average daily attendance of 336.

There are 9 District Model Schools now in operation. They are situated in the counties of Antrim, Armagh, Cavan, Londonderry, Cork, Tipperary, Kildare, Meath, and Galway; of these Galway has the largest number of scholars, 485, average attendance 273; and Cavan the lowest, 190, average 123. The total on the rolls of the 9 schools, for the half year ending September 30th, 1853, was 3,092; of these 1,395 were males; 1,010 were females, and 687 were infants; the average daily attendance was 1,701. From a later return for the *week* ending 31st December, 1853, from these 9 schools, the total roll number was 2,096; of this total, 358 were members of the Established Church, 1,259 were Roman Catholics, 351 were Presbyterians, and 61 were Protestant Dissenters.

The Board, however, is not satisfied with the work accomplished; District Model Schools are being erected in Kilkenny, in Waterford, and in Limerick, where a Model Farm, connected with the Model Literary School, is to be established: at Belfast a District Model School is to be erected, which will accommodate 800 children of all ages and of both sexes; and towards its cost the mill owners of the district have contributed £800. This school is, like that of Limerick, to comprise an Agricultural Department, and 100 acres have been taken on lease, at reasonable terms, about two miles from the centre of the town. In Belfast too, a Marine School, for the instruction of sailors' children, is contemplated, and in the Act of Parliament for the improvement of the harbor, one of the provisions is that the Harbor Commissioners shall grant free of all charge, four acres of land, to be devoted to the purposes of a Marine School; the Education Board are to erect the necessary buildings and maintain the school.

Another most satisfactory step has been taken, satisfactory not alone as regards the Board, but likewise as regards a mercantile company, as it shows they consider that between employer and employed there is some better and truer tie, than that which springs from the mere payment and receipt of wages. No fact stated in the *Report* of the Commissioners gives us more satisfaction than that section which records that they have undertaken to erect a Model School at Inchicore for the benefit of those in the service of the Great Southern and Western Railway. Towards the erection and fitting up of this school the Directors have contributed £500, and have granted a site on lease for ever. The school is to be under the entire control of the Education Board; the Day Schools will be attended by the children of those employed by the Company; and the Evening Schools' instruction will be given to the various mechanics, artizans, and laborers engaged on the railway.

Another very admirable point to which the attention of the Board has been directed, is the extension of Agricultural Schools. The Glasnevin Model School and Farm, known since the visit of Prince Albert in 1851 as the Albert National Agricultural Training Institution, is a most important establishment. In addition to the usual education given in the Model Schools, the pupils of the Institution, 75 in number, are instructed in every branch of literary and scientific knowledge, suited to their present and future pursuits, by means of lectures in agricultural science, effective apparatus, and a well selected library; and a Garden and Nursery have been lately added to the Model Farm. Under the superintendence of Mr. Baldwin, the literary teacher, a quarterly journal entitled, *The Journal of the Albert National Agricultural Training Institution and Record of Industrial Progress*, is published, many of the pupils contributing to it. Its object is to encourage a desire amongst the pupils for information on agricultural subjects, and at the same time improve them in composition. It is a very creditable publication, and is distributed free to all the teachers in the agricultural schools. Prince Albert was so much pleased with this school that he entered a young man, from his own farm at Osborne, as a pupil. There were in Ireland, on the 31st December 1853, 33 Model Agricultural Schools; of these, 14 were under the management of the Board and in full operation; 1 in partial operation, and 3 were building; 14 were under the management of local Patrons, and 1 was building.

Of the ordinary Agricultural Schools there were on the 31st December 1853, 43 ; of School Gardens 3, of Workhouse 50, giving a total of 96, or a grand total, including the Model Agricultural Schools, of 129. Of these schools, 37 were in Ulster; 43 in Munster; 29 in Leinster, and 20 in Connaught. Of the 50 Workhouse Agricultural Schools, 13 were in Ulster; 21 in Munster; 10 in Leinster, and 6 in Connaught. The increase for the year, of all classes of Agricultural Schools was 37; the increase of Workhouse Agricultural Schools was 27. The following table will show the progress of this Agricultural Department of the National system for the year 1853 :—

Items of Progress.	1852.	1853.	Increase.	Increase per cent. 1853.	Increase per cent. 1852.
Agricultural Schools of all classes.	92	129	37	40·2	13·5
Do. Boarders, ...	101	118	17	17·0	5·2
Do. Day Pupils learning Agriculture, ...	2,355	3,249	885	37·5	3·64
Do. Pupils receiving Payment in Industrial Classes, ...	207	298	91	44·0	14·8
	A. R. P.	A. R. P.	A. R. P.		
Land cultivated as Model Farms,	1,281 2 8	1,789 2 14	508 0 11	30.5	18·
	£ s. d.	£ s. d.	£ s. d.		
Amount paid for Labour, . . .	1,680 5 8	2,244 13 0	564 7 4	33·4	25·4
Value of Labour of Pupils . .	976 19 0	1,770 16 2	793 17 2	81·2	50·7
Net Acreable Profit on cultivation of Model Farms, . . .	2 3 8	2 13 10	0 10 2	23·2	41

This whole vast system of National Education which we have placed before the reader is carried on by 4,882 teachers, who are thus classed :—

Class 1st.	...	...	...	508
,, 2nd.	...	...	...	1,151
,, 3rd.	...	...	...	2,239
Probationers	...	...	...	984

This number is exclusive of the teachers in Workhouse, Prison, and Convent Schools, there are 103 of the latter schools.

The salaries of first class male teachers vary from £36 to £25, and of females from £25 to £19. Males, second class, from £30 to £20, females from £17 to £16. Males, third class, £18 to £15, females, £15 to 13. Probationers are paid £11 male, £10 female; assistant teachers are paid from £15 to £11 according to qualifications, mistresses to teach needlework are paid £8. The sum paid Monitors last year amounted

to £2,038 : 1 : 8, their number being 416, which is to be increased ; two-thirds were males, and one-third females, who are paid at rates varying, according to time of employment, from £4 to £8 per annum. During the year 1853, 281 teachers were trained—193 males and 88 females : these were supported at the public expense, but in addition, 25 other teachers, not connected with NationalSchools, and who supported themselves, attended, making the total number of trained teachers for the year 1853, 306. Of the 281 teachers trained at the public expense during the year, 18 were of the Established Church ; 32 were Presbyterians, 3 were Protestant Dissenters, and 228 were Roman Catholics. The entire number of teachers trained since the foundation of the system, exclusive of those who during the period of training were unconnected with the National Board, is 3,701. The entire sum expended last year in payment of teachers was £90,704 : 1 : 5, composed of the following items :—

	£	s.	d.
Towards Principal Literary Teachers, ...	81,166	15	8
„ Assistant Literary Teachers, ...	2,651	11	8
„ Workmistresses and Embroidery Teachers,	2,259	7	7
„ Agricultural Teachers, Industrial Classes, and Free Scholarships, ...	690	18	7
„ Teachers of Evening Schools, ...	218	6	8
„ Paid Monitors, ...	2,038	1	8
„ Teachers for organizing National Schools,	103	9	7
„ Gratuities to Workhouse Teachers, . .	400	10	0
„ Special Gratuities, ...	215	0	0
„ Premiums for "Order," &c., ...	960	0	0

The books used in these Schools have been most carefully prepared by very able men : Professor Sullivan's books are admittedly excellent ; Professor M'Gauley's *Lectures on Natural Philosophy*, have arrived at a fourth edition ; of his *Treatise on Arithmetic in Theory and Practice*, 19,000 copies have been sold within the last year. His *Key* to the last named book has arrived at a fourth edition, and recently he has issued one of the most perfect, because the most simplified treatises on Algebra known to us in any language. The amount received for books sold last year at reduced prices to National Schools was £6,439 : 1 : 9 ; and the estimated value of books given as free stock, on 1,993 grants, was £6,443 : 14 : 5.

We shall not enter into the very vexed question as to the justice or injustice of selling books at a cheap rate, a rate below that at

which any trader could supply them; we merely state the facts, showing the sales of the Irish National School Books, as these sales prove the excellence of the work. During the first six months of 1853 the sales of the books to the Committee of Privy Council on Education, England, amounted to £1,411 : 10 : 2; to Schools for the Poor, in Great Britain and Ireland, not connected with, or receiving aid from the Board in Ireland, or the Committee of Privy Council, £618 : 14 : 5; to Schools of a like description in the Colonies, £1,257 : 9 : 0; to the Workhouse Schools in England, £69 : 12 : 0; to Her Majesty's Stationary Office, for use of prisoners and convicts, £51 : 7 : 8; to the Public, through the agents of the Board, £2,418 : 12 : 9—making the total amount of sales for the first six months of 1853—£5,827 : 6 : 0.

On the 4th of July, 1853, a rule came into operation, by which the Board are bound to sell only to the National Schools, but had the old system been continued, and had the demand for Irish National School books continued during the second six months, as during the first, (and there is no reason to negative the supposition that it would have done so) the sales would have exceeded the sales of 1852 by £3,000; that is, they would very nearly have amounted to £12,000.

It seems to us that Dean Dawes very clearly stated the whole bearings of the question connected with the sale of these books when he wrote :—

"The supplying our schools with educational books of the highest character, and at the lowest prices, is no doubt a great national object,—one which well merits, and will, it is to be hoped, meet with every attention from the Committee of Council; but whether this can be best effected by the Council endeavouring to put into effective operation the talent of the country, in writing books in all those departments of knowledge which it is desirable to introduce into our schools, and be their own publishers; or whether it can best be done through private publishers and the booksellers themselves, may be a matter of question. The prices at which the National Board in Ireland supply what are termed poor schools in this country, being a remunerating one, is encouraging to the former plan, and the increasing demand for books once well established, would enable the bookseller to do it at a small rate of profit; but under all circumstances, what the country may reasonably expect from the Committee of Council is—school-books good and cheap."

Trained teachers are frequently sent from the Marlborough-street Schools; and a Board of National Education, with a

system similar as circumstances would permit to that which we enjoy, having been formed in Melbourne, Victoria, one of the Irish National Inspectors, Mr Davitt, and his wife, who had acted as Mistress of the Female Drawing School in Marlborough-st, were sent to Melbourne as superintendents of the Training Establishments about to be formed in the Colony.

With one reference to the state of feeling amongst the officers of the Irish National Board, we close this history of its rise and progress in National Usefulness. Doctor Robert Sullivan, one of the Professors in the Training School, wrote, in the month of February, 1854, to the Board, offering, if they would permit him, to place funds to the amount of £20 per annum in their hands, to be given in premiums to the teachers of National Schools in the counties of Down and Antrim, who should be found by the Inspectors, at the general examination held each year in Belfast, to be best acquainted with "*the knowledge of common things.*" The Commissioners agreed to accept Dr. Sullivan's offer, and the excellent Dean of Hereford has the satisfaction of knowing, that not alone by his mind and pen, but by the agency too of his pocket, has a Professor of the Irish National Schools evidenced his belief in the importance of what the Dean, and Lord Ashburton, have so strenuously endeavoured to inculcate—the necessity of a full and perfect knowledge of "Common Things."*

* We take this opportunity of recommending to all our readers the following works: they should be in the hands and minds of all—they are not too simple for the most learned, or too learned for the most simple, and deal with subjects upon which every man should possess clear and accurate knowledge, at least in the most important and fundamental points. The books are,—"Suggestive Hints towards Improved Secular Instruction, Making it Bear upon Practical Life. Intended for the Use of School Masters and Teachers in our Elementary Schools, for those Engaged in the Private Instruction of Children at Home, and for others Taking an Interest in National Education." By the Rev. Richard Dawes, A.M., Dean of Hereford. Sixth Edition. London: Groombridge, 1853. "Lessons on the Phenomena of Industrial Life and the Conditions of Industrial Success." Edited by the Rev. Richard Dawes, A.M. Dean of Hereford. London,: Groombridge, 1854.

The following summary will shew the patronage under which 4,605 schools exist:—

IN PROVINCES OF	Established Church.		Presbyterians.		Dissenters.	Roman Catholics.			Workhouse Schools.	Commissioners of National Education.	Religion not stated.	TOTAL
	Clergy.	Laity.	Clergy.	Laity.		Jointly with Protestants.	Clergy.	Laity.				
CONNAUGHT -	15	79	6	—	1	13	373	80	21	—	1	588
LEINSTER - -	33	78	3	2	2	8	900	87	31	11	1	1,151
MUNSTER - -	12	75	3	2	—	16	791	89	45	5	1	988
ULSTER - -	94	225	483	189	30	12	736	71	21	12	2	1,875
TOTAL -	154	457	494	193	33	48	2,800	277	118	28	5	4,605

Of 5,828 teachers, 341 were members of the Established Church; 4,696 were Roman Catholics; 756 were Presbyterians; and 35 were Protestant Dissenters; 3,682 teachers were without residences, and there were only 284 schools in which the fees for tuition amounted to £5. There were, to 1st March, 1854, 6 Head Inspectors; 2 were of the Established Church, 3 were Roman Catholics, 1 was a Presbyterian. The salary of the Head Inspector is £300 per annum; and 12s. 6d. per day, and the actual cost of locomotion when engaged on official business. There were 39 District Inspectors; 7 were of the Established Church, 19 were Roman Catholics, 10 were Presbyterians, 2 were Unitarians, and one Dissenter. The salary of the District Inspector is £275 per annum, including travelling and all other expenses. There were 7 Sub-Inspectors, 2 being of the Established, and 5 of the Roman Catholic faith. The salary of Sub-Inspector is £230 per annum, including travelling and all expenses. From these figures it will appear that there were, in the service of the Board, 52 Inspectors, and their religions may be thus stated: 11 of the Established Church; 27 Roman Catholics; 11 Presbyterians; 2 Unitarians; 1 Protestant Dissenter, giving a total of Protestants of all persuasions, 25; total of Roman Catholics, 27. The rule is, that the District Inspectorships shall be equally divided between Protestants and Roman Catholics, and by the appointment of six District Inspectors, since the date of these returns, the numbers are now equalised.

The schools may be divided into vested and non-vested; and to the following passages, in the evidence of Mr. Cross, we beg the calm attention of our reader:—

"In schools towards the building of which the Commissioners have contributed, and which are therefore vested in trustees for the purposes of national education, or which are vested in the Commissioners in their corporate capacity, such pastors or other persons as shall be approved of by the parents or guardians of the children respectively shall have access to them in the school-room for the purpose of giving them religious instruction there at convenient times, to be appointed for that purpose, whether those pastors or persons shall have signed the original application or otherwise. In schools not vested, but which receive aid only by way of salary and books, it is for the patrons to determine whether religious instruction shall be given in the school-room or not; but if they do not allow it in the school-room, the children whose parents or guardians so desire, must be allowed to absent themselves from the school at reasonable times for the purpose of receiving such instruction elsewhere."

"There are very few applications from the clergy of the Established Church or from Presbyterian clergymen for grants to vested schools. The vested schools are principally under the patronage of the Roman Catholic clergy. They have not, generally, the objection which the clergy of other persuasions conscientiously entertain. They are not opposed to Protestant or Presbyterian clergymen visiting their vested school at convenient times, for the purpose of giving religious instruction to the children of their communion. That religious scruple is held very strongly by the clergy of the Established Church, and by Presbyterians; and the rule of the Board meets that difficulty by the distinction made between the two classes of schools."*

The Commission now consists of 15 members, of whom 6 are of the Established Church, 6 are Roman Catholics, 2 are Presbyterians, and 1 is a Unitarian; we here, for convenience, insert the names:—

The Right Hon. Lord Bellew; Rev. P. S. Henry, D.D. President Queen's College, Belfast; Right Hon. Alexander Macdonnell; The Marquess of Kildare; The Right Hon. the Lord Chancellor (Brady); Sir Thomas N. Redington, K.C.B; Robert Andrews, Esq., LL.D., Q.C.; James Gibson, Esq.,; James O'Ferrall, Esq.,; The Very Rev. Dean Meyler, D.D.; Jeremiah J. Murphy, Esq., Master in Chancery; The Right Reverend Bishop Cornelius Denvir; The Right Reverend the Lord Bishop of Derry and Raphoe; Right Honourable John Hatchell, Q.C.; Montifort Longfield, Esq., LL.D., Q.C.

In addition to the other objections urged against the National System by its opponents, it has been asserted that it is inefficient, and the schools of the English National Board have been compared with it, to, as the opponents of our system allege, its disadvantage: but the fact does not support this statement. It will be found that the entire management of our schools is superior, and that the attendance of the children is more regular. It must be borne in mind, that our inspectors are few, our masters badly paid, and our efforts thwarted by a partizan and bigoted opposition; and yet, with all these facts before us, and aided by the proofs adduced by Mr. M'Creedy in his evidence, we can safely and readily agree with him when he states:—

"If then, bearing all these things in mind, we come to the exam-

* See "Minutes of Evidence Before Select Committee on National Education (Ireland)." 1854, Q.Q. 299, 339.

ination of the comparative efficiency, as tested by the kind and amount of instruction given in them, of British as contrasted with Irish schools, what shall we say if it turn out that the latter, though labouring under every disadvantage which can arise from poverty of means, can yet sustain the comparison, without appearing, except in one or two things—that is, writing from dictation and writing on paper, and, perhaps, geography—at all markedly inferior, while in some most important points they prove fairly equal, if not superior? Yet such I believe to be the fact."

The English schools are described as in many cases dirty and ill-managed. Canon Moseley's Report for 1850-51, of schools inspected by him in Berkshire and Wiltshire, proves the following facts of a school in which

"There were 82 children, four of whom were above 13 years old, four others above 12, and nine above 11, being more than a usual proportion of big children. They had some knowledge of Scripture, and could repeat the Catechism; but of the FIRST CLASS,* composed of 14 children, four only could write the Belief on their slates correctly; as to the spelling, only two had *any knowledge however slight*, of geography, *and seven did not know the name of the country in which they live.* When told, and asked, who governs our country, they were unable to tell, and appeared to attach no definite idea to the inquiry. Six children only out of 82 could read with tolerable ease and correctness in books of general information, and seven others only could read in the Scriptures. One boy was learning the compound rules in arithmetic, four were in division, and 26 in addition, but *not one in the first class*† could write in figures the number ten thousand and ten, and not one could multiply correctly 3*l.* 6*s.* 8*d.* by 6.

"The children of the *second*‡ and every lower class were ignorant of the *simplest* facts in Scripture history; none of them could read correctly a *simple sentence*, or write in figures the number four hundred and seventy-eight, or *tell the product of* 4 *by* 9.

"The school which I have described is taught by a master, but the number of schools taught by masters is, in agricultural districts, comparatively small. The majority form a class of schools below these, taught by mistresses, of whom a few only have been educated, the majority being what are called dames. About three-fourths of the schools in Wilts appear, by the National Society's returns, to be taught by mistresses, and two-thirds in Berks."

Of schools examined by Mr Watkins in Berkshire, Durham and Northumberland, in 1850-51, we have this unsatisfactory account, that of the Church Schools about 40 per cent. were in a promising state, and 60 per cent. most unsatisfactory.

"* Irish Board's 4th or 5th Class.
"† Irish Board's 4th or 5th Class.
"‡ Irish Board's 3rd Class."

With regard to attendance; of 9 schools in London examined in 1850, the fluctuation in attendance was thus stated: left within 12 months, 5,637; admitted within 12 months, 5,366; in ordinary attendance, 3,769.*

Amongst the most useful of the institutes connected with, or arising from the National Board, we must place first the Industrial and the Agricultural Schools. There were, in December, 1853, 43 Industrial Schools in connection with the Board, and of these 8 were female schools; at the same period there were 39 Evening Schools, of which 4 were female, and 2 were adult schools. It is unnecessary that we should dwell upon the statistics of these institutes, in the advantages of which all parties agree; but the great importance of the Agricultural Schools demands for them some more lengthened notice, and upon this point, no better or more accurate information could be required, than that given by two men so able and experienced as Mr. Senior, and Dr. Kirkpatrick. We give first Mr. Senior's evidence:—

"9385. Have you turned your attention, especially in reference to those workhouse schools, to the advantage and the necessity of adding an industrial education to the literary education which is given?

I have from the commencement.

9386. What is your opinion upon that subject?

I believe it to be of the first importance.

9387. Has there been agricultural occupation given to the young in many of those unions?

In by far the greater number. Almost every Irish workhouse has a small quantity of land attached to it, averaging probably eight statute acres?

9388. Have you been able to observe the effect upon the children themselves within the school, and the effect upon the means of procuring employment for those children in the event of their being dismissed from the workhouse as able-bodied?

The children appeared to me, where they were well-trained industrially, to look more healthy; to behave better; they more readily obtained employment outside the workhouse, and, at the same time, even the literary education advanced more rapidly under such a system, inasmuch as a healthy boy would learn more rapidly than one not so healthy; short school-hours and close application are better than longer hours listlessly employed.

9406. How far did you reside from the national School of Larne?

About four miles.

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* See on this, and we may add all other points connected with National Education in Ireland, Mr. M'Creedy's evidence.

9407. Have you frequently visited the national school of Larne?
Very frequently.

9408. Will you describe that school?

It was an agricultural school, attended, as well as I remember, by about 200 boys; I believe the agricultural class was about 30. The literary education in that school was about the best I have ever examined, and I have paid great attention to the subject.

9409. The agricultural instruction was also good?

Admirable; I never went there without learning something myself.

9412. Is it your opinion that such additions to the national schools of Ireland have a tendency to perpetuate and to continue the defective, or as it may be called the miserable cottier system existing in Ireland, or to raise the scholars and raise the peasantry above it?

The latter.

9413. At Larne, a farm of four acres would be evidently a very small one, and insufficient to exhibit any very great agricultural produce; upon what ground do you consider beyond the facts which you have stated that such farms as those have a tendency to raise the condition of the peasantry of Ireland educated therein?

The small farmers would compare the results of land deeply dug, kept clean, and well manured, with the, produce of their own small farms differing in all those points.

9414. Do not you think also there is a tendency in the instruction given there to prepare the scholars to be useful farm-servants upon large farms?

I do.

9415. Is not the want of such servants one of the defects under which the agricultural interest is labouring in Ireland?

It is.

9416. Also with respect to the children of the farmers themselves, is not the tendency of such establishments to prepare the sons of the farmers to succeed their parents with greater intelligence and more scientific knowledge?

It is."

Referring to this School at Larne, Dr. Kirkpatrick was asked:—

"9513. Earl of *Wicklow*.] Do the children in the national schools in that neighbourhood attend the agricultural school?

Not all of them.

9514. Do you find that those who attend the agricultural school are upon a par with the other children in the national schools, with respect to literary education?

Not only upon a par, but superior to them, generally speaking.

9515. Is there any selection made in consequence of the ability of the children to be employed in the agricultural school?

Not on account of ability; merely on account of their age.

9516. To what do you attribute their superiority in point of literary education?

I think that industrial training is a relaxation to the mind, and that the alternation of literary and agricultural studies tends to promote the literary attainments of the pupils. We invariably find that to be the case in all the schools throughout Ireland with which I am connected.

9517. Lord *Monteagle* of Brandon.] Can you mention the cases of any particular boys who were at once eminent in literature and in agricultural training, and state what their position now is, as the result of the education which they received at Larne?

I can. The following table shows the destination of young men who were educated at the Larne model agricultural school since 1848: '11 were taken to the national model farm, Glasnevin; 12 became teachers of national schools; 3 went to college; 6 were appointed clerks; 8 emigrated to America; 22 went to sea; 22 were appointed to different trades. The following important situations are filled by pupils from the Larne school; agriculturist to the Munster model farm, Cork; agriculturist to the Balieborough model farm, Cavan; agriculturist to the Ballymoney model farm, Antrim; agriculturist to the Lismore union, Waterford; agriculturist to the Clonmel union, Tipperary; agriculturist and schoolmaster to the Belfast union, Antrim; agriculturist and schoolmaster to the Piltown agricultural school, Kilkenny; agriculturalist to the Kilwaughter model farm, Antrim; assistant chemist to the chemico-agricultural society of Ulster.' Professor Johnson was so much pleased with the answering of the boys in Glasgow, that he proposed to me to take one of the five boys as an apprentice. A young man, who is now assistant to Professor Hodges, in Belfast, was for four or five years with Professor Johnson. A pupil educated at the Larne school, is prosecuting his professional studies at the Queen's College, Belfast, with the most marked success, having taken a scholarship in the school of agriculture during his courses, and the premium of 30*l.* from the Queen's University. It is not only that they hold these situations, but it is their exemplary conduct also, which is worthy of notice. Several of those young men, from the humblest classes of society, are now filling important and responsible situations, and their conduct, in every respect, is most praiseworthy and gratifying.

9518. Viscount *Clancarty*.] Those are scholars from the Larne model agricultural school?

Yes.

9525 Have you had occasion to erect new farm buildings at Glasnevin?

Yes.

9526. Will you explain to the Committee what their nature and extent are?

There are very extensive buildings erected, both for the pupils and as farm offices; apartments for pupils, consisting of dining-hall, washing-room, school-room, and dormitories; cattle-sheds, and all the requisite farm offices, on a very large scale.

9527. What is the nature of the training which is given at Glasnevin?

A very extensive course of literary instruction combined with agricultural training, both theoretical and practical.

9528. What teachers have you at Glasnevin?

There is one literary teacher at present; there are to be two; the class of pupils now numbers 75, and it is necessary to have two literary teachers; a second has been appointed but he has not yet commenced his duties. Mr. Donaghy is the superintendent and manager of the farm and lecturer on agriculture. There is a resident practical gardener; and Mr Campbell is the lecturer on horticulture. There is now a very valuable course of instruction imparted at Glasnevin, one of the most complete, perhaps in the United Kingdom. I hold in my hands the 'General Time Table' of the Albert Training Institution, and also a synopsis of the general course of instruction. The first is the course of English education, reading writing, English grammar and composition, geography, elements of astronomy and the use of the globes, book-keeping, outlines of general history and English literature. The leading principles of music, drawing and perspective. The elements of political economy and logic, arithmetic, mathematics, algebra, geometry, trigonometry, mensuration, surveying, levelling, use of geometric instruments, &c. &c. The elements of natural philosophy, with their practical application. On 'vegetable physiology and botany,' there are lectures delivered by David Moore, Esq., M.R.I.A., and Curator of the Royal Dublin Society's Botanic Gardens, of which the following is the synopsis: 'Introductory remarks and general description of a plant. Internal structure or elementary organs of plants. Growth, forms and functions of roots. Growth, forms and functions of stems. Growth, forms and functions of leaves. Formation of leaf-buds and propagation of plants by same. Inflorescence and the floral envelopes, calyx and corolla. Forms and functions of the reproductive organs, stamens and pistils. Growth and maturation of the seed vessels and seeds. Formation of the embryo and germination of plants, Circulation of sap and vegetable irritability. Application of principles in morphology or the change of parts. Application of principles in propagation. Application of principles in the improvement of races of plants. Application of principles in growth of plants. Systematic and geographical botany. Definition of classes, orders and species, their fixity and distribution. The Linnæan classification of plants. Outlines of the natural classification. Illustrations of the natural orders. Ditto, including the ranunculus and cabbage tribes. Ditto, including the leguminous plants, roses, &c. Ditto, including the dahlia and thistle tribes, &c. Ditto diclinous plants, including the willows, &c. Ditto, endogenous plants, including the grasses, &c. Preservation of races by seed. Principal plants which produce human food. Principal plants used in the arts and manufactures. Outlines of the geographical distribution of plants. Meteorological phenomena connected with the geographical distribution of plants. Resume, with observations on fossil plants. &c.' Professor W. K. Sullivan lectures on 'chemistry and geology in their relations to agriculture.' Professor J. F. Hodges, M.D., on 'the history, structure and diseases of the animals

of the farm.' Mr. John Donaghy on 'practical agriculture.' Mr. A. Campbell on 'horticulture.'

9529. Does the system of agriculture comprehend the best system of keeping farm accounts?

Decidedly.

9531. Can you give the Committee any results from the Glasnevin school analogous to those you have already given them with respect to the Larne school, showing whether all those educational appliances have led to the practical absorption of the pupils in pursuits of honest industry, or what have been their future occupations in life?

I can. I have here a return showing the present occupation of the young men educated at the Albert National Agricultural Institution at Glasnevin, from the 1st of January 1847 to the 15th of June 1854. The following is an abstract of the return, showing, first, the number who followed up the profession of agriculture in after-life: 'Assistant Agricultural Inspector, 1. Clerkship in Education Office, 1. Land stewards and agriculturists, 59. Private farmers (either for themselves or parents), 18. Land surveyors (civil service), and valuators, &c., 8. Editor of an American Journal of Horticulture, 1. Lecturer on agriculture to the Normal Institution, Edinburgh, 1. Teachers of model and ordinary agricultural schools, 24. Making a total of 113.' Secondly, it states those who have followed miscellaneous employments, namely, 'Clerks, 7. Literary teachers, 8. Kilmore Academy, Cavan, 1. Making a total of 16.' Thirdly, 'Emigrated and unknown (finished their full course), 5. Spent more than 18 and less than 24 months at the institution, 4. Spent more than 12 and less than 18 months, 3. Spent more than 6 and less than 12 months, 8. Spent under 6 months, but more than one, 12. Spent one month and under, 4. Making a total of 36.' The entire number being 165.

9534. Lord Bishop of *Down.*] What means have you of tracing the further career of those young men after they leave the agricultural school?

We generally endeavour to ascertain as full particulars respecting them as possible, either from themselves or from their friends.

9535 Do any of them keep up a correspondence with you or any of the other persons connected with the school?

Yes. The correspondence which is kept up is very gratifying.

9536. Lord *Monteagle* of Brandon.] Do they often visit the place of their education?

They often do. The day before I left Dublin I received a letter from the literary teacher, Mr. Baldwin, who is a very superior young man. His history I might, perhaps, be permitted to make some allusion to. He was a pupil at a national school in the County of Waterford, a very young lad, and he there attracted the attention of the Inspector of that district, who recommended him to come to Glasnevin. His patron made application; he was admitted, and during the period of his training, the literary teacher left the establishment. Mr. Donaghy and myself, seeing that Baldwin was a remarkable young man, recommended that he

should be appointed as a successor to the literary teacher; and it is most gratifying to see the way in which he is now conducting the literary department. This letter was addressed to him by a young man who had been at the training establishment, but had only remained there a short time. I should state that Mr. Baldwin keeps up a correspondence with them all; he had written to this young man, and this was the reply to his letter: 'My dear sir,—With regard to the improvements I have made on my farm since I came home, I beg to state (although you may consider it egotism), that they would not disgrace the Albert farm. I have systematically thorough drained 30 acres. I now intend subsoiling about 20 acres of last year's drained division. I have 15 acres of green crops growing well at the present time. The green crops I raised last year were most excellent, though the field I raised them off was the most exhausted in my possession, and the most foul with weeds. On this same land I have at present the most luxuriant crops of oats and wheat in the neighbourhood. I almost entirely attribute my success to the deep ploughing and after-culture I gave the green crops on this land. I have sown the proper grasses for permanent pasture; they are likely to do well. I have also greatly improved my kitchen garden and flower-plot. The live stock I intend breeding from are of superior quality. I have an imported boar and sow of the large Yorkshire breed, and a thorough-bred Leicester ram: these I have kindly got from Mr. Campion (my patron), a gentleman of prize-taking celebrity. I am also breeding from a thorough-bred short-horn bull. Rowland Campion, Esq. Oldtown; Rev. G. Gwynne, Wallstown Glebe; Bernard Smith, agricultural teacher, Farrahy, &c., will bear testimony to this statement. With regard to my disseminating a knowledge of improved agriculture in this neighbourhood, suffice it to say that I am doing my endeavours, both by admonition and example. Some of my neighbours, in many respects, have taken my advice; but the great barrier to improvement is the insecurity of tenure, no leases being given. I am earnestly studying all the sciences connected with agriculture, for which I have purchased all the necessary books.' What I am now going to read he marked emphatically: 'All this spirit of improvement I attribute to my short sojurn at the model farm.'

9537. Earl of *Wicklow.*] The farm of which he is speaking is his own?

Yes; his father is land steward to Mr. Campion.

9538. Lord *Monteagle* of Brandon.] Without assuming that all the letters are identical with that which you have read, does that furnish an exponent of the general class of communications which are received?

I do not know that it does.

9539. Is it above the ordinary mark or below it?

As regards the farming, I should say it is on a par."

English readers, or those unacquainted with recent events connected with Irish Educational affairs might reasonably ask why, if the National System has been found to work so satisfactorily, have we devoted a considerable aportion of space to a history of its origin and progress, and to an analysis of its last Annual *Report?* The answer to the question would be, that despite all the advantages, and notwithstanding the complete success of the system, men, learned men, pious men, had impugned the evidences of usefulness, and had attempted to worry the Legislature into the adoption of an educational system of separate instruction in secular learning, or to drive it into the support of a system more delusive than that of the effete mockery—the Kildare Place Schools. The plan, the Charter, if we may so call Lord Stanley's "Instructions," contemplated a system guided by a central Government-appointed Board; it contemplated an improved system of education; it directed that the schools should be free to ALL, that secular knowledge should be imparted in common to ALL; but to insure this freedom, and this knowledge to ALL, it commanded that religious instruction should be given separately to EACH section of believers. It was a noble, statesman system. When it was proposed to the country the Roman Catholics were just returning to their calm reason after the fiery enthusiasm springing from their recent enfranchisement had subsided, and the panting thirst for knowledge was becoming every day more plainly developed. A Nation was to be instructed, to be trained, to be formed. In all the varying misgovernments of the past-by centuries of misrule, education, save for those of the State Religion, had been withheld, nay prohibited, and the Roman Catholic Irishman in those woful years was treated as the American slave owner uses his negro now. Knowing this, knowing too the quick and ready minds of our people, the Chief Secretary saw that the future fortunes of the Irish Nation lay within his own guidance through the acts or omissions of older periods. The question to be decided was not, shall this people be kept in ignorance?—for that was impossible—but, shall we, the Government, educate this people?—shall we teach them that we and they are of the same race and language, and with common interests? or shall we throw them upon their own resources, and leave them to be instructed by those who may foster every prejudice, increase every hatred, keep alive the memory of every real or fancied wrong, making the truth of history but a shaft to rankle the

wounds of national honor, and in the whole circle of knowledge finding fire always but light never.

The time and the man were matched. Weaker men would have faltered, dallying to-day with the church, and to-morrow with the people, the bully of the Establishment to-day, and the flunkey of the Priests to-morrow. But, for Lord Stanley, the Board of the Kildare-Place Schools had as little terror as in other times had the Bishops, and to his honor he saved the country from total ignorance, or from the infliction of two separate systems of instruction, the necessary result of which would be the most virulent religious bigotry, and the most rampant political intolerance.

He commenced by appointing seven Commissioners, all men of position, of learning, and of ability. These seven were the Duke of Leinster, the Archbishop of Dublin, and the Rev. Dr. Sadlier, Protestants; Archbishop Murray and A. R. Blake, Roman Catholics; the Rev. James Carlile, Presbyterian; and Robert Holmes, Unitarian.

The letter and the spirit of Lord Stanley's "Instructions" clearly were, that secular teaching should be given in common; that religious knowledge should be imparted separately.* True, broadly, honestly true, to the full command of the Legislature, the Commissioners have, as far as men can accomplish it, endeavoured to guard against the slightest infringement of this principle by the following rules, which appear in Appendix A, of their *Report* for 1853:—

"*As to Government of Schools with respect to Attendance and Religious Instruction.*

1. The ordinary School business, during which all children, of whatever denomination they may be, are required to attend, is to embrace a specified number of hours each day.

2. Opportunities are to be afforded to the Children of each School for receiving such religious instruction as their parents or guardians approve of.

3. The Patrons of the several Schools have the right of appointing such religious instruction as they may think proper to be given therein, provided that each School be open to Children of all communions; that due regard be had to parental right and authority; that, accordingly, no child be *compelled* to receive, or to be present at, any religious instruction to which his parents or guardians object; and that the time for giving it be so fixed, that no child shall be thereby, in effect, excluded, directly or indirectly, from the other advantages which the School affords. Subject to this, religious instruction may be given either during the fixed School-hours or otherwise.

* We have inserted these "Instructions" in the appendix to this paper.

The following explanation of the preceding Rule, and observations of the Commissioners, accompanied by the *new Order* issued by them in 1850, in reference to the 9th paragraph of section 2, are taken from their Sixteenth Report.

'We have recently issued an important Order, on the subject of religious instruction, to which we beg to draw your Excellency's attention. In our Report for the year 1847, we stated that our Secretaries having informed us that they had been frequently consulted, both personally and by letter, as to the true meaning of the following portion of section 2, paragraph 3, of the Rules of the Board with reference to religious instruction—'That due regard be had to parental right and authority; that, accordingly, no child be compelled to receive, or be present at, any religious instruction to which his parents or guardians object;' and that they deemed it desirable that we should supply them with an authoritative answer to such questions, we directed them, by a minute bearing date 18th November, 1847, to give the following explanation in reply to all such inquiries in future:—

'First—That the true interpretation of the words in question clearly is, that no child be compelled to receive, or to be present at, any religious instruction to which his parents or guardians object; and that this rule (in conjunction with the notification in the School-room of the arrangements for giving religious instruction as required by Rule 9, section 2) has hitherto been found amply sufficient for the full enforcement of parental authority.

'Secondly—That though all that is required by this rule (section 2, paragraph 3) is, that the Patron should engage not to compel any child to be present at such religious instruction; yet, should the patron use any means, either directly or indirectly, to induce any child to attend such religious instruction, contrary to the desire of his parents or guardians, the Commissioners would consider such conduct inconsistent with the whole spirit of their system.'

It was with a view to guard against the possibility of such a case arising, that the Commissioners gave the following important explanation of their sentiments in their Eleventh Report, for the year 1844, dated the 24th day of April, 1845:—

'It would be found impossible to lay down in detail any set of rules so accommodated to all the varying circumstances of every locality, and so guarded against all possible mistakes and misrepresentations, as to be secure from being violated in spirit, without any tangible infringement of the letter of them. For example, under our present rules, the Patron of a National School may give religious instruction during even the fixed School-hours. A Patron, Protestant or Roman Catholic, might possibly, availing himself of the letter of this rule, make so unjust a use of this privilege as to drive from the School all children of a persuasion different from his own, or induce them, if they remained, to share in the religious instruction to which they and their parents were conscientiously opposed. In such a case we should immediately interpose, and cause the Patron to abandon a course so inconsistent with the whole spirit of our system; or, in case of his refusal, we should strike the School off our roll.

'The Order which we have deemed it right to make is as follows:—'That the following arrangement be adopted for carrying out more effectually the Rule as to the notification of the time for giving religious instructions, as set forth in the 9th paragraph of section 2 of the Rules and Regulations of the Commissioners:—

'First—That the public notification of the time for religious instruction shall be inserted in large letters in the 'Time Table' supplied by the Commissioners to all National Schools; and the Commissioners strongly recommend that, as far as may be practicable, the general nature of such religious instruction shall be also stated on the 'Time Table.'

'Secondly—That the 'Time Table' shall be kept constantly hung up in a conspicuous place in the School-room.

'Thirdly—That, in order 'that no child be compelled to receive, or to be present at, any religious instruction to which his parents or guardians object," the teacher shall immediately before the commencement of religious instruction, announce distinctly to the pupils, that the hour for religious instruction has arrived, and shall, at the same time, put and keep up, during the period allotted to such religious instruction, and within the view of all the pupils, a notification thereof, containing the words 'Religious Instruction,' printed in large characters, on a form to be also supplied by the Commissioners.

'Fourthly—That, when the secular instruction shall precede the religious instruction, in any National School, there shall be a sufficient interval between the announcement and the commencement of the religious instruction, and, whether the religious or the secular instruction shall have priority in any National School, the books used for the instruction first in order, shall be carefully laid aside at its termination, in the press or other place appropriated for keeping the school-books.

'Although, so far as we are aware, no case has ever yet occurred in which proselytism has taken place, either on the Roman Catholic or Protestant side, in any National School, yet fears have been entertained that such attempts might be made during the time set apart for religious instruction. The arrangement we have now adopted will, we trust, go far to remove such fears, and cannot be objected to by any one who places his school under us, with the honest purpose of acting upon our leading principle. In founding our system, Lord Stanley announced, 'that even the suspicion of proselytism should be banished from it'—'that security would be afforded by it'—'that the most scrupulous care should be taken not to interfere with the peculiar tenets of any description of Christian pupils.' His language in this respect is in exact accordance with that employed in the Fourteenth Report of the 'Commissioners for inquiry into the state of all Schools on public or charitable foundations in Ireland.' In that Report, published in 1812, and signed by the Archbishops of Armagh and Cashel, by the Bishop of Killala, and by Provost Elrington, the Commissioners declare their hope that the scheme of National Education proposed by them will be cordially ac-

cepted by the people of Ireland. And they add these memorable words; '*That such will be its acceptance we shall indulge the more confident expectation, if all interference with the particular religious tenets of those who are to receive that instruction shall, in the first instance, be unequivocally disclaimed, and effectually guarded against. We conceive this to be of essential importance in any new establishments for the education of the lower classes in Ireland: and we venture to express our unanimous opinion that no such plan, however wisely and unexceptionally contrived in other respects, can be carried into effectual execution in this country, unless it be explicitly avowed, and clearly understood, as its leading principle, that no attempt shall be made to influence or disturb the peculiar religious tenets of any sect or description of Christians.' No person who does not from his heart adopt the sentiments here expressed by the Commissioners, and which are embodied in Lord Stanley's Letter, can conscientiously avail himself of our grants; and no one who does adopt those sentiments can object to the Order, which we have issued on this occasion.*

4. In Schools, towards the building of which the Commissioners have contributed, and which are, therefore, VESTED in Trustees, for the purposes of National Education, or, which are vested in the Commissioners in their corporate capacity, such Pastors or other Persons as shall be approved of by the parents or guardians of the Children respectively, shall have access to them *in the School-room*, for the purpose of giving them religious instruction there, at convenient times to be appointed for that purpose, whether those pastors or persons shall have signed the original application or otherwise.

5. In Schools NOT VESTED, but which receive aid only by way of Salary and Books, it is for the Patrons to determine whether religious instruction shall be given *in the School-room* or not; but if they do not allow it in the School-room the Children whose parents or guardians so desire, must be allowed to absent themselves from the School, at reasonable times, for the purpose of receiving such instruction ELSEWHERE.

6. The reading of the Scriptures, either in the Protestant authorized, or Douay Version, as well as the teaching of Catechisms, comes within the rule as to religious instruction.

7. The rule as to religious instruction applies to Public Prayer and to all other religious exercises.

8. The Commissioners do not insist on the 'Scripture Lessons' or book of 'Sacred Poetry' being read in any of the National Schools, nor do they allow them to be read as part of the ordinary school business (during which all children, of whatever denomination they may be, are required to attend) in any school attended by children whose parents or guardians object to their being read by their children.

In such cases the Commissioners prohibit the use of these books, except at times set apart for the purpose, either before or after the ordinary school business, and under the following conditions:—

First—That no child, whose parent or guardian objects, shall be required directly or indirectly, to be present at such reading.

Second—That in order that no child, whose parent or guardian objects, may be present at the reading of the books above specified,

public notification of the time set apart for such reading shall be inserted in large letters in the time-table of the school—that there shall be a sufficient interval between the conclusion of the ordinary school business and the commencement of such reading; and that the teacher shall immediately, before its commencement, announce distinctly to the pupils that any child whose parent or guardian so desires may then retire.

Third—That in every such case there shall be, exclusive of the time set apart for such reading, sufficient time devoted each day to the ordinary school business, in order that those children who do not join in the reading of the books, may enjoy ample means of literary instruction in the school-room.

9. Whatever arrangement is made in any School for giving religious instruction, must be *publicly notified* in the School-room, in order that those children, and those only, may be present whose parents or guardians allow them *

10. If any other books than the Holy Scriptures, or the *Standard* books of the Church to which the Children using them belong, are employed in communicating religious instruction, the title of each is to be made known to the Commissioners.

11. The use of the books published by the Commissioners is not compulsory; but the titles of all other books which the Conductors of Schools intend for the ordinary School business, are to be reported to the Commissioners; and none are to be used to which they object; but they prohibit such only as may appear to them to contain matter objectionable in itself, or objectionable for *common* instruction, as peculiarly belonging to some particular religious denomination.

12. A Registry is to be kept in each School of the daily attendance of the Scholars, and the average attendance, according to the Form furnished by the Commissioners.

Miscellaneous.

1. It is the earnest wish of Her Majesty's Government, and of the Commissioners, that the Clergy and Laity of the different religious denominations in the country should co-operate with one another in conducting National Schools.

5. The Commissioners require the School-rooms to be used *exclusively for the purposes of Education*; and any breach of this Rule will be held to be a violation of the principles of the National Education System.

6. The Commissioners require that the principles of the following Lesson, or of a Lesson of a similar import, be strictly inculcated in all Schools admitted into connexion with the Board, and that a copy of the Lesson itself be hung up in each School.

'Christians should endeavour, as the Apostle Paul commands them, to 'live peaceably with all men' (Rom. ch. xii. v. 17), even with those of a different religious persuasion.

Our Saviour, Christ, commanded his disciples to 'love one

* See the Order made by the Commissioners for carrying out more effectually the above rule, as printed after rule 3, section 2.

another.' He taught them to love even their enemies, to bless those that cursed them, and to pray for those who persecuted them. He himself prayed for his murderers.

Many men hold erroneous doctrines, but we ought not to hate or persecute them. We ought to seek for the truth, and to hold fast what we are convinced is the truth; but not to treat harshly those who are in error. Jesus Christ did not intend his religion to be forced on men by violent means. He would not allow his disciples to fight for him.

If any persons treat us unkindly, we must not do the same to them; for Christ and his apostles have taught us not to return evil for evil. If we would obey Christ, we must do to others, not as they do to us, but as we would wish them to do to us.

Quarrelling with our neighbours and abusing them, is not the way to convince them that we are in the right, and they in the wrong. It is more likely to convince them that we have not a Christian spirit. We ought to show ourselves followers of Christ, who, 'when he was reviled, reviled not again' (1 Pet. ch. ii. v. 23), by behaving gently and kindly to every one."

We know not if a more perfect method of securing freedom of religion than this could be suggested; or if any words could more plainly express plain instructions,—yet, upon the construction of the rules, the most lamentable differences have arisen.

It was fully agreed amongst the members of the Board, that one of the most desirable results to be expected from the working of the system was the association of the children of different religions during school hours. Doubtless there were men, Protestants and Roman Catholics, who were opposed to this association, and in their rabid zeal for exclusiveness, forgot that the system advocated by the Board is that which prevails *in all our private day schools, secular instruction in common, religious instruction at home, or in the church.*

Notwithstanding the vast and manifest advantages which have arisen, in an educational point, and despite the security given in all matters of religion, disputes and differences have lately imperiled the integrity and future usefulness, if not the very existence of the Irish National Board. In all matters of religious teaching, and when introduced as pointed out by the direction of the Commissioners, the rule acted upon was, as expressed so long ago as 1833, by Archbishop Whately, "NO COMPULSION AND NO RESTRICTION." It was, however, considered advisable, that some species of book, of a religious character, but unexceptionable to any creed, should be prepared, and used as a class-book during the hours of *combined*

instruction. Accordingly, a book known as *Scripture Lessons* was prepared, compiled in part from the authorized version, in part from the Douay, as either might be considered the better rendering, and of some passages a new translation was made; and by Archbishop Murray's desire, it was agreed that the extracts should not be in form of chapter or verse, but of School lessons, and have notes, not theological or controversial, but relating to history, chronology, geography, or kindred subjects, appended. The *Lessons* consisted chiefly of the early historical parts of the Old Testament, the Gospel of St. Luke, and the Acts of the Apostles. Subsequently a work entitled *Lessons on the Truth of Christianity*, altered from a work on the same subject by Archbishop Whately, was published by the Board, and in addition a compilation known as the *Book of Sacred Poetry* was issued, but no child, whose parents objected to the use of any of these books was compelled to read them. Perceiving, or supposing, that these books were useful, Dr. Whately had the work as *originally* published, known as the *Christian Evidences*, placed upon the list of books *recommended* by the Board, and considering the success of these books to be satisfactory, he published a work entitled *Introductory Lessons on the History of Religious Worship, Being a Sequel to the Lessons on the Christian Evidences, by the same Author.* In this book, it is stated by Master Murphy, a Roman Catholic Commissioner, "that there is scarcely a single tenet, doctrine, or institution of the Roman Catholic Church, which is not broadly condemned."*

The objection now is, not that *this* work was recommended by the Board, but that the full title of it, as above given, appeared on the fly-leaf of the Original, (or Parker's) edition of the *Lessons on the Christian Evidences*, the latter being a book *recommended* by the Commissioners.

These are the plain facts, as gathered from the evidence of Mr. Cross, of the Archbishop, and of Master Murphy, given in the *Minutes* of the Committee to which we have last referred. It appears from the evidence of Doctor Meyler, a Dean in the Roman Catholic Church, a Parish Priest in Dublin, a Vicar General under Archbishop Murray, and a Commissioner of National Education, and in his statements Master Murphy

* See "Minutes of Evidence Before Select Committee on National Education, (Ireland.)" 1854. Q. 8847.

fully agrees, that these *Evidences*, being meant for reading in *combined* instruction, were unsuited for Roman Catholics, as they appeal entirely to human reason, excluding the authority of the Church; secondly, that if Roman Catholics require evidences, they have three works, in English, on the subject, written by divines of their own Creed; and thirdly, and in this Master Murphy states that many Protestants and Presbyterians agree with him and his co-religionist Commissioners, that such a book was not at all suited for a people like the Irish peasantry, and working classes, who have, be their religion what it may, no doubts whatever upon the subject.

It will, from the foregoing, have been perceived that the three books, *Scripture Lessons*, *Lessons on the Truth of Christianity*, and *Book of Sacred Poetry*, were printed by the Board, and might be used or not as the patron pleased, but no child, whose parents objected, could be compelled to read them. The *Lessons on the Christian Evidences* were not printed by the Board, but were amongst the books *recommended;* and on the fly-leaf of this book, the advertisement of the treatise, so obnoxious, as Master Murphy states it to be, to Roman Catholics, appeared.

The books were, until the year 1849, used, or not used, as the patrons placed; but in the latter year, the Commissioners being about to erect a District Model School in Clonmel, they dispatched two Head Inspectors, Dr. Patten a Protestant, and Mr. Kavanagh, a Roman Catholic, to that town, for the purpose of learning the opinions of the chief Clergy and inhabitants upon the subject of the schools; and likewise to make arrangements as to the times for religious instruction. It must be remembered that the Commissioners are the patrons of all Model Schools, and like other patrons may use, as they please, any book sanctioned by the Board, that is, by themselves, and at the reading of which all children must attend whose parents do not object. The Commissioners, as patrons, would naturally wish to see all the books which (convinced of their excellence,) they had sanctioned, in use in the Model Schools. But lest through ignorance of the state of feeling in the locality in which the school may be established mistakes might occur, it is the usual course that enquiry shall be made as to opinions held on the question of education by the neighbouring Clergy and leading inhabitants of all persuasions. This, at all events, was the course adopted in Clonmel, and the Rev. Mr. Baldwin,

the Roman Catholic pastor of the parish in which the schools were situated, expressed his unwillingness to permit the reading of the *Scripture Extracts*, and *The Lessons on the Truth of Christianity*, by children of his flock:—accordingly, the books were, it would appear without the knowledge of the Commissioners—the patrons,—excluded, until the 1st of July 1852, when the Archbishop being in Clonmel visited the school, and discovered that the books above named were not in use. He wrote to the Board forthwith, announcing the fact in the following words:—

"1st July, 1852.

"VISITED Clonmel model school. * * * * * *
I find that *all* the books published by the Board are not used—the *Scripture Extracts* and the *Lessons on the Truth of Christianity* being excluded. It appears to me *most important* that in *all* the schools of which *we* are the patrons, viz., the model schools, *all* our books should be read. The inference naturally to be drawn from this not being done is, either that we are *insincere* in *recommending* books which we prove, by our conduct, we do *not* think well of, or else that we suffer this or that person to usurp our power and dictate to us. I have no doubt we shall hear of this, and very unpleasantly. *We* never *compel* any patron to use a book he does not like, or to abstain from the use of any (sanctioned by us) which he does like; and we should exercise the same right where *we* are patrons.

"RD. DUBLIN."

For some months it was debated whether the reading of the books should be enforced, and at various meetings of the Board the matter was anxiously discussed, and all the attention of the members was directed to the construction and meaning of the 8th Rule, which is in these terms:—

"The Commissioners do not insist on the 'Scripture Lessons,' 'Lessons on the Truth of Christianity,' or book of 'Sacred Poetry,' being read in any of the National Schools, nor do they allow them to be read during the time of secular or literary instruction, in any school attended by children whose parents or guardians object to their being so read. In such case the Commissioners prohibit the use of them, except at the times of religious instruction, when the persons giving it may use these books or not, as they think proper."

This rule was drawn up by the late Anthony Richard Blake, an active Roman Catholic member of the Board, and was published in the year 1840, as a paragraph in the *Sixth Report* of the Commissioners, that for 1839, and appears in page 149. Three con-

structions have been placed upon this rule: the literal one, in which Mr. Cross, Dean Meyler and the majority of the Commissioners agree is, that any child objecting, by direction of his parents, to the use of any of the three books, named in the rule, can exclude that book from use during the hours of combined instruction. On the other hand it is contended, and in this, Mr. Blake, the framer of the rule, Mr. Corballis, both Roman Catholics, and Archbishop Whately agree, that the patron may use the books, (even though objected to by the parent of any child,) during the first, or during hours of the ordinary school teaching, provided that no child is compelled to remain against the will of its parent, and this construction was put upon the rule in a letter addressed to Mr. Tottenham of the county Wexford, in the year 1840, Mr. Blake, Mr. Corballis, and Archbishop Whately, being present at the writing.

Although, from the date of the Archbishop's complaint, July 1st, 1852, many meetings of the Board were held, it appears that none of the members were cognizant of this letter, or could have been cognizant of it; and when, on the 1st of April, 1853 Mr. Cross recollected and discovered it amongst the archives, it surprised the Board considerably, and the Roman Catholic members considered that by this construction of the 8th Rule, the protection which it afforded against injurious books was destroyed. After many unavailing attempts at compromise, or satisfactory construction between the Commissioners, the present effect of the 8th Rule may be thus stated; the two works on the *Evidences of Christianity* are excluded from the list of books published or sanctioned by the Board; and the *Scripture Lessons*, and *Book of Sacred Poetry* may be read or not, as parents please, but the patron can have them read by those who will attend during the opening or closing school hours: in all other respects, all book and rules remain unaltered.

These changes having been agreed to and completed, on the 8th of July, 1853, the Right Hon. F. Blackburne, the Archbishop, and the Hon. Baron Greene ceased to be members of the Board, and in the month February, 1854, the Select Committee of the House of Lords commenced its sittings.

Whether as cause or as effect we know not, but during the disagreement of the Commissioners, a *Pastoral* was issued by Archbishop Cullen, in which the following passage appeared:—

"Whilst instructing and exhorting you to provide for the religious

education of your children, we need scarcely admonish you of the obligation you are under of exercising the strictest vigilance over the books which are placed in their hands. All books of an irreligious, immoral and seditious tendency, or calculated in any way to corrupt the heart and mind, are to be carefully avoided. All books to be used in the public schools should be free from every contagion of error, and those which are destined for religious instruction should be approved of by your legitimate pastors. There are two little works which have been sometimes, though rarely, used by Catholic children, which we now wish to see banished from their hands. The first is a little treatise on the 'Evidences of Christianity,' composed by a Protestant dignitary, who has lately distinguished himself by his unprovoked attack on our conventual institutions, under the hypocritical pretence of protecting personal liberty. We need scarcely state that this treatise, coming from the pen of such an author, is Protestant in its principles and tendencies, and that it is not fit for the instruction of Catholic children in the important question of the truth of their religion. The other work is entitled 'Scripture Lessons.' It contains most difficult passages from the New and Old Testament, and there are questions proposed at the end of each chapter which would open the way to the teaching of false doctrines, and which the unlearned and unwary might wrest to their own destruction.* This little work appears to have been compiled for the purpose of giving a united religious instruction to Catholic and non-Catholic children in the same class; we reprobate such a project; doubtless if the teacher were a Catholic he would endeavour to give a Catholic interpretation to the texts of Scripture submitted to him, and Catholic answers to the questions proposed; but a Protestant or Presbyterian would act in the same way, and under them a Catholic child would not be safe. Separate religious instruction, as it was laid down by the statesman who first introduced the national system into Ireland, is the only protection for Catholics. It is contrary to the spirit and practice of our Holy Church to sanction united religious instruction, or to sanction any instruction on matters connected with religion given to Catholics by persons who themselves reject the teaching of the Catholic church. In addition to the catechetical works, scriptural histories, and extracts already within your reach, and with which our schools abound, it will be our care to provide Scriptural Lessons that may be safely placed in the hands of our children, which will be adapted to their tender minds, and which will contribute to build up their faith instead of undermining it; to foster their piety instead of exposing it to perish amidst the doubts, difficulties and conflicting errors that are sure to spring from unauthorised interpretation. The injunction we now give you to remove the two little works just mentioned from the hands of your children will be the more easily carried into effect, as the rules of the National Board do not at all require the use of them."

We have thus sketched the history of this most lamentable secession, as we are most anxious that our readers should have

* Mr. Butler, a Roman Inspector, drew up these questions; he has resigned his inspectorship, and is now Professor of Mathematics in the "Catholic University."

before them the grounds upon which these most eminent, high-minded, and influential friends of the system of National Education abandoned the places at the Board which it will be difficult indeed to fill as satisfactorily. We lament this secession too, because it has enabled the bitter opponents of the system, through their partizans in the House of Lords, to attack, in every possible form, the whole working of the scheme. True, with little success; even though, in the *Minutes of Evidence* before us, we find that to please this ecclesiastical faction, spiritual and temporal Peers have become statistical charivari—legislative gropers—amongst the shreds and figments of worthless records.

In all the various plans suggested by the opponents of the National system, the only one reasonable, the only one exhibiting the slightest gleam of reason, or knowledge of the position of Ireland is that known as the Bishop of Ossory's plan. By this it is proposed that the Board should exist as at present; that the inspection should be as at present; that these Schools should be opened as now, vested and non-vested, but that the 3rd Rule, which stands at present in these terms—

"The patrons of the several schools have the right of appointing such religious instruction as they may think proper to be given therein, provided that each school be open to children of all communions; that due regard be had to parental right and authority; that, accordingly, no child be compelled to receive or to be present at any religious instruction to which his parents or guardians object; and that the time for giving it be so fixed, that no child shall be thereby in effect excluded, directly or indirectly, from the other advantages which the school affords: subject to this, religious instruction may be given either during the fixed school-hours, or otherwise—"

should be read thus, "The patrons of the several schools have the right of appointing such religious instruction as they may think proper to be given therein, provided that each School be open to children of all communions"—and to this proposal it is only necessary to reply, that it is the most exclusive that can be suggested, and for this reason, that it gives the patron power to teach religion when and how he pleases to all attending the school, thus destroying that system which has been so well described as one of "No Compulsion and No Restriction;" a system which secures to the child the best secular instruction without danger to his faith; the Ossory plan would give good secular knowledge, but the price to be paid for it would be the

receiving instruction in religion must be approved by the patron.* All who were examined before the Committee and who are at all capable of looking at the question through, as the Archbishop expressed it, other than the "discolored glass of their own persuasions," are entirely opposed to any change in the present system, and most especially opposed to any change which would directly consist in, or which might directly lead to, separation in secular instruction.

The Protestant advocates for separation say,—We wish for separate schools, and we wish this in common with the Roman Catholic Hierarchy. They have proclaimed, through their Decrees made at Thurles, that they desire a separate system, a system—"vel Catholicus vel nullus." Doubtless such a system was recommended in Thurles, by a portion of the Bishops there assembled, but the recommendation did not refer to the principle of the National Board. The Roman Catholics, like every other religious communion, are entitled to require and obtain the most complete security for the faith of their children, but when this security is granted, then the State has the right to make its stipulations securing the proper secular instruction of the people. With great labor and vast attention was the National System reared; in all the years of its fair and honest progress, enlightening and elevating the Nation, the Board has ever kept clearly in view that it was a system of free religious teaching—"No Compulsion and no Restriction"—embracing scholars of all creeds: the intrusion of spiteful bigotry was baulked, and our people have proved the justice of an opinion expressed by Mr. Frederick Hill, in 1836, when the system was but developing its results—"The population of Ireland, in evincing as they have done their readiness—nay, their anxiety—to receive education, have shown that they do not cling to their errors from an obstinate and stupid persistence in folly and wrong-doing, but because they have not had opportunities of acquiring knowledge and habits of self-control. They are willing, and their leaders are willing, to put their doctrines and opinions to the test of widespread knowledge; and this is all that those who sincerely desire to promote truth and justice can demand. If the gates

* On this point see the very able and remarkable evidence of the Hon. A. Macdonnell, in the "Minutes of Evidence," commencing at Q. 2020.

of the mind be thrown open, sound knowledge has but to present itself to find a hearty welcome."*

But can the people give "a hearty welcome" to an altered system which would destroy all security as to faith in particular creeds, by permitting the patron to force upon them his own belief if they would accept the secular teaching of his school; we have found from various sources that they cannot. But can Government, a Government pledged for years to a system of mixed education, be traitorous to every principle and pay away the money of the commonwealth to support a Protestant, a Roman Catholic and a Presbyterian system of separate teaching, rearing the future men of these Kingdoms in antagonism, in hatred, and in all the evils which ignorance of our fellow men, fostered by sectarianism, can engender? We do not exaggerate the impending evil: it is proved by an examination of the statements, and acts, and expressed hopes of the advocates of separation.

These advocates may be divided into two factions, the extreme Protestant and the extreme Roman Catholic; the Bishop of Ossory's plan is not so objectionable in appearance, nor is it really so intolerant as either of them, but its effect would be, to lead gradually to that separation for which these other plans strive directly.

The Protestant scheme is very simple, but very decided: its chief advocate before the Committee was the Rev. Mortimer O'Sullivan, and when one reads his evidence, it seems so weak in reasoning, so feeble through its stale intolerance, that Moore's lines descriptive of the witness, in his younger days, arise to memory, and we repeat—

> "He comes from Erin's speechful shore
> Like fervid kettle, boiling o'er
> With hot effusions —hot and weak."

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* See "National Education; its Present State and Prospects." By Frederic Hill. 2 Vol. London: C. Knight, 1836. These Volumes are quite worthy of Mr. Hill, and evince all the ability displayed in his Reports, as a Prison Inspector, and in his most able book "Crime; its Amount Causes and Remedy."

The volumes above quoted contain a most perfect history of the educational condition of the chief countries of Europe, America, and the United Kingdoms, they should be, with Mr. Joseph Kay's, "Education of the People in England and Europe," in the hands of all who would know the history of the question.

The opinions held by his party are thus expressed by Dr. O'Sullivan, and they appear to us as intolerant as they are mischievous. He was asked :—

"9788. Has your attention been directed to the national system of education which now exists in Ireland?

Very much.

9789. What is your opinion of that system, as a means of educating the people?

I should not wish to give an opinion as to the literary merits of the system. In some cases they are considerable, and in some cases very much the reverse. My attention has been principally confined to the religious part of the question.

9790. Does it satisfy you in a religious point of view?

No.

9791. What are the grounds of your objection to it?

There is a prohibition of the Scriptures, and there is no compensating provision of them. The rule with respect to the Scriptures is to the effect, that, because scriptural reading is considered a religious exercise, it is to be confined to the hours of separate instruction and the expression 'confined to the hour of separate instruction,' means no more than 'excluded from the hours of united national education.' The Commissioners themselves concur only with the prohibition of Scripture.

9792. You are aware that a very large number of the body to which you belong, the clergy of the Established Church, have not co-operated with that system, feeling that they could not do so with a safe conscience?

Yes.

9803. Lord *Monteagle* of Brandon.] You consider the principle of Lord Derby's letter to be clearly one of non-compulsion, as regards Scripture reading?

As the patrons should determine. Lord Derby speaks of the Kildare-place Society as entitled to praise, but complains that it laboured under one vital defect, 'the determination to enforce in all their schools the reading of the Holy Scriptures, without note or comment.' The important words are, 'enforcing' and 'all;' so that if the Scriptures were permitted in all the schools, but not enforced, or enforced only in some, there would not be ground for his Lordship's complaint. I required no more than this freedom. Patrons should be so far free. They should be bound by the rules of the Kildare-place Society, to exclude from the hour of united education all human formularies of religion; and should have the power which I conceive, Lord Derby's letter left them, to introduce into all their schools the reading of Scripture.

9804. Did you consider that in those schools in which, at the wish of the patron, the Scriptures were so to be introduced, the reading of the Scriptures should thereupon become compulsory upon the children?

That the patrons of the schools should, if they pleased, render it so. According to Lord Stanley's directions, the patron whose

applications for aid were to have the first preference, were to be those who consisted of persons of different religious denominations. It would have been important to ascertain how far such partnerships could be formed. Where they could not, patrons of one religious denomination were to be received. In either case, if patrons decided that the Scriptures were not to be read in the school, the Commissioners were not to enforce them; were they decided that the Scriptures were to be read, the Commissioners were not to interdict them.

"9808. Viscount *Hutchinson.*] Will you have the goodness to refer to the letter of Lord Stanley in October 1831, and point out the passages in it upon which you ground your views?

There is no expression in the letter in which it is distinctly stated that scriptural instruction is not to be free. The part of theletter from which an interdict has been inferred is this: 'While they do full justice to the liberal views with which the Kildare-Place Society was originally instituted, they cannot but be sensible that one of the leading principles of that Society was calculated to defeat its avowed objects, as experience has subsequently proved that it has.' I think I am justified in supposing that every word in a document of this kind has its precise value and significancy. 'The determination to *enforce* in *all* their schools the reading of the Holy Scriptures, without note or comment, was undoubtedly taken with the purest motives, with the wish at once to connect religious with moral and literary education, and at the same time not to run the risk of wounding the peculiar feelings of any sect by catechetical instruction or comments which might lead to subjects of polemical controversy. But it seems to have been overlooked, that the principles of the Roman Catholic Church (to which, in any system intended for general diffusion throughout Ireland, the bulk of the pupils must necessarily belong) were totally at variance with this principle'—may I beg to say, that this assumption on which the national system in Ireland has been based, is altogether groundless. The principles of the Roman Catholic Church are not what Lord Derby imagined them to be—'and that the indiscriminate reading of the Holy Scriptures, without note or comment, by children, must be peculiarly obnoxious to a Church which denies even to adults the right of unaided private interpretation of the sacred volume in articles of religious belief.' The objection which Lord Stanley applies to the Kildare-place system was, that it *enforced* in all its schools the reading of the Scriptures. If therefore the Kildare-place Society had not 'enforced,' but 'permitted' the reading of Scripture, it would not have been chargeable with the defect which Lord Stanley complained of.

9809. Lord *Monteagle* of Brandon.] Will you have the kindness to point the attention of the Committee to any passage in that letter, or any statement Lord Stanley has ever made, which connected with the system introduced by him, the compulsory reading of the Scriptures by children whose parents object to it?

There is no other passage in this letter on the subject of the Scriptures which can be matter of question. But Lord Derby afterwards mentions what are the circumstances under which the Com-

missioners shall be empowered to make grants, and what are the cases in which they shall refuse; and he does not say there that they shall refuse grants to a master or to a patron who decides upon reading the Scriptures.

9810. You are aware that, for several years after the issue of that letter, Lord Derby was still Secretary for Ireland, and subsequently a Member of Lord Grey's cabinet. During the whole of that period, was any interpretation at any one time given by the Commissioners of Education to their system which would have justified or authorized them in making Scripture reading obligatory upon a child?

I do not know; it has been a subject of surprise to me that where there was genius enough to contrive the system which this letter describes, there could possibly have been permission or latitude given to the Commissioners to mar and to supersede it.

9811. Are you aware that this supposed construction of Lord Derby's letter, which would graft upon that letter founding the national system, a practice wholly at variance with the conduct of the Commission, from its origin up to the present time, has ever been before suggested by any one, under any circumstances, and if by any one by whom?

It has been suggested frequently by me at public meetings, on one occasion at Liverpool, where I exposed the deviations of the system from the model in Lord Stanley's letter. The chairman of the meeting was requested to write to his Lordship, and call his attention to their discrepancies. Lord Derby's answer to the communication was a private one, and I have never seen it.

9812 In the various discussions which have taken place in Ireland, in the movements of the Church Education Society, and in petitions presented to Parliament, has it ever before, to your knowledge, been suggested that Lord Derby's letter contemplated and authorised the compulsory reading of the Scriptures, by which I mean their being read against the will of the parent?

I cannot say; I can only state that I have repeatedly at public meetings, and in letters in the papers, made this statement.

9813. At any of those meetings were any resolutions adopted to the effect of the statement you have now made, or were any petitions embodying that statement agreed to be presented?

I cannot call to mind."

The reader has now before him the whole principle upon which the extreme Protestant party proceed; they care not whether the country may be benefited by the scheme for which they contend; by a woful straining of common sense, by shameless wresting of words from their ordinary meaning, they endeavour to prove that the present system of "No Compulsion and no Restriction," is not in accordance with the "Instructions" of 1831.

Than their animus nothing can be worse; for example, after a pathetic, and not very appropriate account of the

foundation of the Protestant Orphan Society, Dr. O'Sullivan tells, as he calls it, "a little incident which took place in Dungannon. A Presbyterian clergyman came to one of the Poor Law Guardians there, and asked him to bring for him some parcel in his gig; the man who was a Presbyterian, said, 'certainly;' when he saw the parcel (it was a stone with the inscription 'National School' on it,) he said, 'that shall never go into my gig!'" Upon hearing this piece of astounding, stupid bigotry related with satisfaction and approval by Dr. O'Sullivan, the Earl of Wicklow asked, (Q. 9866) "Do you not think that denotes a great deal of prejudice and want of due consideration of the subject on the part of such a person?" and the Reverend witness replied, "I should hardly say so; *it denotes a good deal of* ZEAL." "A good deal of zeal—" it denoted, precisely the kind of "zeal" distinguishing the pagan barber mentioned in Ward, the Baptist's, *Missionary Journal*, who would not shave his brother savages because they had become Christians.

However much one may feel inclined to ridicule this absurd tone adopted by Dr. O'Sullivan, its result upon the country would be, if it were supported by Government, most mischievous, and might be disastrous. As to the uselessness of attempting to make the people Bible readers, it has been proved again and again. From Dr. O'Sullivan, himself, we learn that some Roman Catholics of his parish were about to emigrate, and the school master employed by Dr. O'Sullivan offered to open an evening school for these people if they would attend, but he made the reading of the Bible during school hours the price to be paid for attendance. The master said, according to Dr. O'Sullivan, "I am quite willing to give you instruction, but it must be on the condition that you will read a chapter of the Scriptures every evening;" and the Doctor adds, "The Roman Catholics assented cheerfully, and the account I have received is, that all is proceeding in a most gratifying manner." The Earl of Harrowby asked, "Would they come without the inducement of secular learning?" and Dr. O'Sullivan's answer was, "No."

This is simply the old plan of attempting, to thrust the Bible upon the people who do not desire it. It is the plan which has made them suspicious of all who endeavour to instruct them, as they dread that the school-master is only the assumed character of the proselytizer. Again and again has this scheme of Bible teaching been attempted, and always with

the same failure, and the same poor results; and it is pitiable to find men now retarding the educational advancement of the Nation by these weak, yet mischievous projects of conversion; projects which must fail, and by failure bringing disgrace upon their advocates and supporters. Let us leave all religions to themselves, at least let us cease all efforts to convert the Roman Catholics, and thus gain some wisdom by experience; let Dr. O'Sullivan, when pressing for the disastrous changes recommended by him, remember the truth expressed by Macaulay when he said, to the House of Commons:—

"Two hundred and eighty-five years has this Church been at work. What could have been done for it in the way of authority, privileges, endowments, which has not been done? Did any other set of bishops and priests in the world ever receive so much for doing so little? Nay, did any other set of bishops and priests in the world ever receive half as much for doing twice as much, and what have we to show for all this lavish expenditure? What but the most zealous Roman Catholic population on the face of the earth? Where you were one hundred years ago, where you were two hundred years ago, there you are still, not victorious over the domain of the old Faith, but painfully, and with dubious success, defending your own frontier, your own English pale. Sometimes a deserter leaves you, sometimes a deserter steals over to to you. Whether your gains or losses of this sort be the greater I do not know, nor is it worth while to inquire. On the great solid mass of the Roman Catholic population you have made no impression whatever. There they are, as they were ages ago, ten to one against the members of your Established Church. Explain this to me. I speak to you, the zealous Protestants on the other side of the House. Explain this to me on Protestant principles. If I were a Roman Catholic I could easily account for the phenomena. If I were a Roman Catholic I should content myself with saying that the mighty hand and the out-stretched arm had been put forth, according to the promise in defence of the unchangeable Church, that He who in the old time turned into blessings the curses of Balaam and smote the host of Sennacherib, had signally confounded the arts of heretic statesmen. But what is a Protestant to say? He holds that, through the whole of this long conflict, during which two generations of men have been born and have died, reason and Scripture have been on the side of the Established Clergy. Tell us, then, what we are to say of this strange war, in which reason and Scripture, backed by wealth, by dignity, by the help of the civil power, have been found no match for oppressed and destitute error? The fuller our conviction that our doctrines are right, the fuller, if we are rational men, must be a conviction that our tactics have been wrong, and that we have been encumbering the cause which we meant to aid."

It is necessary that the reader should bear in mind these

principles and views stated by Dr. O'Sullivan, and held by his party, because by comparing them with those of the equally ultra Roman Catholic section, he will comprehend the vast difficulties cast around the question, of Irish National Education, and will, we trust, agree with us in the suggestion we shall hereafter advance.

All who really support the National system for the peculiar benefit it confers upon the country by uniting the children during the hours of secular instruction, deem this association of incalculable advantage. But it would seem that Archbishop Cullen, and a section of the Roman Catholic Bishops disapprove mixed education, and have evidenced this disapproval in various ways, but most pointed by the formation of an institution called the "Catholic University;" and having elected themselves into an irresponsible board of Management, nominated professors or lecturers, amongst whom are a very distinguished Oxford scholar; an American ultramontanist, who states that he has alwayssubmitted his writing to the revision,or censorship, of a Roman Catholic ecclesiastic; Mr D. F. M'Carthy, formerly a distinguished bard of the poetically rebellious corps of the young Ireland party, with whom has been lately conjoined, to make the professorial conglomerate "thick and slab," another young Ireland gentleman Mr. John O'Hagan, who was the volunteer advocate of O'Brien and Duffy and their accomplices in 1848, and who not many months since delivered a very violent speech against the Protestant Religion and the Church Establishment.

We have not referred to this school for the purpose of decrying or supporting its foundation or its appointments, but merely for the purpose of showing the state to which this country would be reduced if separate systems of education were aided by the Government. Hand over, say the extreme party on each side, the entire education of youth to us. That is, let us rear them as we think proper; let us teach them history as we please; let us indoctrinate them with our own pecuopinions of every institution of the country as we please. That is, we will tell truth when it suits us, and suppress it when against us. What history useful to the Nation or to freedom could be taught in such schools as Dr. O'Sullivan desires to see established? Could appointments be more calculated to excite distrust in a separate system than those of the "Catholic University."

This "University" claims to rule and guide without check or control, teaching what it pleases, and rejecting what it pleases, and thus founded, and constituted, proposing to give degrees which shall be acknowledged by the various Boards, and Societies. Thus it will be seen that a principle enunciated by Bishop Denvir, that from childhood to puberty the clergy should rule the education of the people, is extended to manhood. We are not dealing with the education of the class for whom this "University" is designed, we pass no opinion upon it, but we cite the principle evolved in its formation and constitution as plainly showing the intentions, and the hopes of that party who would make, and who do make, common cause in attempting to obtain a separate system with the ultras of the other faith, as represented by Dr. O'Sullivan.

Their sentiments regarding the system of the National Board have been rather plainly expressed in a pamphlet newly published, and entitled, *State Rationalism in Education: An Examination into the Actual Working and Results of the System of the Board of Commissioners of National Education in Ireland. With Copious Notes and Appendix*, and written by the Rev. Henry Formby, "Priest of the Diocese of Birmingham."

The pamphlet, as the Preface to the Second Edition informs us, is "re-printed without material alteration, from the columns of the *Tablet* newspaper, where they* first appeared, in the hope of calling attention to a question on which, as time advances, and political measures assume more of shape, and consistency, the Catholics of Great Britain and Ireland will be obliged to make up their minds as to the line of action they ought to choose." This English redresser of Irish Educational errors, comes to Ireland precisely as Mr. Heald, a witness examined before the Committee came, to examined our National Schools; the Priest is a "strong" Roman Catholic, the layman an equally "strong" Wesleyan.

Some Englishmen have, on their first acquaintance with Ireland been struck by our connection with rags, some by our connection with jaunting cars, pigs and "peelers," but the Priest of the Diocese of Birmingham is only astonished by our connection with the National Board. He states:—

"The writer of the ensuing enquiry was recently engaged (in October 1853), with a general recommendatory letter from his Grace Dr. Cullen, Archbishop of Dublin, in visiting various schools

* The Pamphlet appeared in letters.

established in Ireland for the education of the poor, with a view to confer with those practically conversant with their wants, and to gain information as to the extent to which a literature of a Catholic character, suited to the means and capacities of the poor, would admit of circulation. Wherever he presented himself at a school in connexion with the National Board, and after duly explaining the object in view, began to put the question: What part the authorities of the school would feel disposed to take in promoting the circulation of such Catholic books in the schoolroom?—he almost invariably met with the uniform reply: 'We are in connexion with the National Board; and if the books are intended to be Catholic books, we should not be permitted by the Board to use them in the schoolroom.'"

It will be perceived that this gentleman who went to the schools with Archbishop Cullen's introduction in his hand, and who wrote his impressions in *The Tablet*, a newspaper existing upon the subscriptions of the extreme "ruck" of the extreme Roman Catholic party, is dissatisfied with the system upon the very point for which all who know the requirements of the country support it—namely—the exclusion in the hours of separate religious instruction, of any books of a sectarian character and of any books but those approved by the Board.

Mr. Formby objects to the National system because of the "loss of the name *Catholic* to Catholic education, and substitution of the name *National;*" and taking advantage of the chance offered to him he thus explains his views, and puffs his publisher:—

"When any school is received by the Commissioners into connection with the Board, the inscription NATIONAL SCHOOL, and *no other* (the capitals and italics are in the rule), shall be put up conspicuously on the school-house.' And in pursuance of this rule the fact throughout Ireland is, that the name 'Catholic School' is rarely, if ever, heard. In the language of the public press, in conversation, and in common parlance, the 'National School' is the sole object of encomium and admiration. The 'Parish School,' or the 'Convent School,' or the Catholic school, is a thing seldom mentioned, and which is rapidly ceasing to have any standing ground in popular phraseology. Pass by convents, and you see a 'NATIONAL SCHOOL' to be part of the building. Pass through parishes, and you see a NATIONAL SCHOOL to be part of the parochial system. Well, and what if you do? What does this matter? asks some good sensible Catholic; are the schools the less Catholic on this account?

"Suppose the good sensible Catholic who is asking this question in the very best faith, to be in the habit, as all good Catholics ought to be, of going from time to time to visit Mr. J. Duffy's establishment, in 7 Wellington-quay, to keep his mind alive to the progress

of Catholic literature, and to take home some of that eminent publisher's newest publications,—suppose that, instead of the title CATHOLIC PUBLISHER, which he has been accustomed to see displayed in large letters over the establishment, his eyes were to be met with the title NATIONAL PUBLISHER in even still greater prominence, would he not at once be led to suspect that some great organic change must have taken place? Would he any longer expect to find the works of Catholic literature of which he came in quest?"

From this it would appear that the separatists demand that the schools should be called "Catholic."

The Priest of the Diocese of Birmingham next attacks the furniture of the National School-room thus:—

"Now, if our good sensible Catholic should persist in continuing to doubt the fact of there being the same kind of difference between the *Catholic* and the *National* school, he must go and learn that the change which has been the subject of his surprise, in the case merely supposed, has become the literal fact when the school, which he has heretofore known as a Catholic school, seeks the connection with the Board, and submits to bear the inscription NATIONAL. It had formerly in each room an image of the Divine Redeemer on His cross, and of the Holy Mother holding her Divine Son in her arms, with the pictures of various Patron Saints, St. Patrick, St. Catherine, or St. Aloysius. Now the honoured Catholic symbol of man's redemption, the sign of the Son-Man, in the strength of which Constantine conquered, and which will be hung up in the Heavens at the last great day, must be turned out, to make way for more suitable emblems of the National spirit. The nail, indeed, remains in the wall from which hung suspended the Catholic crucifix; it now serves as the support of the map of the world on Mercator's projection, and in the place of the Holy Mother and Child figures some more befitting object of National regard,—the likeness of a hippopotamus, or of a whale, or of a specimen taken from life of the newest discovered species of the baboon. The school, in short, is now a *National School*, and objects of Catholic veneration are simply out of place."

Having thus disposed of the furniture of the room, the author next objects to the plan of imparting knowledge; he writes:—

"A visitor then enters a Catholic school that has no connection with the National Board, and the first thing he will see will be the Madonna with the Divine Infant in her arms, claiming the school as under her own protection. If he asks the question, he will probably find that every child has been taught, on entering the school-room, to kneel down before the image to ask the Blessed Virgin for her blessing upon the business of the day. Each time the clock strikes, the school business ceases, every child rises, makes the sign

of the Cross, and repeats the 'Hail Mary' aloud. If the visitor listens to the kind of instruction that is given, it is not impossible that he may hear something of the following kind :—

Question.—'Why did Jeroboam make so great a point of inducing the people to worship his golden calves?'

Answer.—'Because he was afraid if the people kept their custom of going up to Jerusalem to the Temple, they might want to place themselves again under the King of Juda.'

Question.—'Then King Jeroboam was very much afraid of his people having any thing to do with the religion of the Jews of Jerusalem?'

Answer.—'Yes; he was afraid it would draw them away from being his subjects.'

Question.—'And was this the reason why he made a new religion, and why he set up the golden calves?'

Answer.—'Yes, it was.'

Question.—'Is any thing like this the case with the Government of England?'

The teacher proceeds to explain that the Government of England, when it broke off its allegiance to the Catholic Church, made a Church of its own, and required all its subjects to conform to the Church which it established. But that like the religion that Jeroboam made, which being the work of man and not of God, could not last; so the Church which the English Government has set up is a mere work of man without the grace of God, and therefore certain, sooner or later, like Jeroboam's religion, to fall in pieces."

Upon the point, to which Mr. Formby here refers, some very important evidence was given by Bishop Denvir; a book was placed in his hand, in which one passage appeared, quite in accordance, in tone and teaching, with those ultra sentiments expressed by the author before us. The evidence to which we refer is as follows :—

"8818. What are the principal objects of the Society of St. Vincent de Paul?

The only objects of it are to aid the poor and the sick, and to assist in the educating of children.

8819. In national schools?

In national schools, or other schools if they cannot get grants for national schools. They endeavour to get up schools for themselves, and afterwards put them under the National Board, if they can do so.

8820. They give instruction in Sunday schools also?

They do; they instruct in the Catechism, and in moral duties.

8821. Will you look at this little book, and tell me whether it has been sanctioned and issued by that society?

The stamp looks very like the stamp belonging to that society.

8822. The society is in the habit of circulating books?

It is.

8823. Can you tell whether that book is used in the Sunday school?

I am not sure whether it is or not; it might be, and it is not improbable that it is; the stamp looks very like an authentic one.

8824. I will read to you one or two passages from this book: 'At the very beginning of the Protestant religion, we find its votaries running into all manner of disorders. For example, King Henry the Eighth, the father of the Protestants in this country, after living 19 years with his lawful wife Queen Catharine, and at the same time keeping two mistresses, Elizabeth Talbois, widow of Sir Gilbert Talbois, and Mary Boleyn, sister to Ann Boleyn, wished to put away his queen; and because he could not get the Pope to give his consent, he threw off all shame, and married Ann Boleyn, who was his own illegitimate daughter. As one wicked action brings on another, the King gives to Rowland Lee the priory of St. Thomas of Canterbury with all its lands, revenues, and beautiful buildings, without having any just claim even to one stone on the premises. Thus the impious King robbed the Church of God to pay the sacrilegious priest for performing the ceremony of marriage between himself and Ann Boleyn, though his lawful wife Queen Catharine was still alive, and the King had not procured a divorce either from the Pope or Parliament.' Do you think this, and similar passages are proper instruction to give to children in national schools, who, in a former part of your examination you state you desired should be brought up in affection to the constitution of the country?

Your Lordship is leaving the Committee under the impression that this book is taught in some national School; but it is not taught in any national school whatever.

8833. Is there anything to prevent the book I have just brought to your notice, being used in a national school at the hour of separate religious instruction?

It is never used at the hour of separate religious instruction in any national school with which I am acquainted, nor have I ever heard of its being used in any.

8834. Can you state that, of your own knowledge?

To the best of my knowledge and belief."

Mr. Formby continues, and his views are certainly original:—

"In short here no one disowns the crucifix; no one is ashamed of the Madonna; rosary beads and catechisms lie about the school-room, without fear of their being reported to the Board, and children wear their Angel-Guardian medals without alarm from the sudden surprise of the inspector's visit. But then the school is the home of the Catholic Faith; it is its very own ground and legitimate possession. Not a thing is done, nor a lesson given, which its spirit cannot animate and its presence control. In a word, it is a *Catholic School.*

"If the school with regard to which the doubt is supposed to be raised were a Catholic school, in the place of a National School, it would be difficult to make a satisfactory answer. The Catholic

school is always, strictly speaking, under *private* and *responsible* control, and no ordinary visitor to a Catholic school can have any possible right or business to be there, except he is admitted in confidence as a friend. If, therefore, any Catholic were to meet with a published description of a Catholic school to which he could justly object, as hostile or injurious, he would be in a condition to allege against its writer, first, that he must have abused the confidence reposed in him as a friend, in order to gain access to the school, and this with the sinister design of picking up the materials of his accusation; and secondly, that he had been guilty of a still further breach of confidence by its publication—to all which the unhappy visitor would have simply nothing to reply. A general verdict of guilty would be on all sides pronounced against him. But in the *National* school the case is quite otherwise. This, it will be remembered, is not either the Priest's parish school, or the school of Nuns, or of Brothers, or of any private person, but it is the *nation's* school, and the *nation*, consequently, has a right to come into it, to see into all the details of its management, to satisfy itself how all is conducted, and to take notes of all that *is* done in it, and all that *is not* done in it. A National School, with a right of privacy for its proceedings, would be a solecism in the nature of things of which a national system could not be guilty. If you demand that the privacy of your proceedings be respected, it will be manifest what a signally false step you have made in connecting yourselves with a national system, the basis of whose constitution is necessarily the *publicity*, and not the *privacy* of all its operations.

"The National Board, then, true to its principles as a national institution, exacts the entire publicity of all that is done in its schools. By ch. iv. Inspection of Schools, section 1, in the rules that follow, the public is guranteed the right of free access to the National School during the hours of secular instruction, not, indeed, to interrupt the business of the school, but to see how it is conducted. The teachers are required to show courtesy to all visitors, and to refer them to the patrons or managers for any information which they are not able to give themselves; and lastly, a visitor's book must be kept in the schoolroom for the purpose of enabling visitors to write down any remarks they may think proper to make upon whatever has fallen under their notice, which remarks are by no means to be erased or altered, but to be faithfully shown to the National Inspector when he comes his rounds.

Right of privacy, then, for the school proceedings, and a national system, are simply contradictory ideas. That which every one can claim the right of going to see, when it suits his convenience, every one is of course equally at liberty to proceed to describe. In short, the National School in this respect stands upon no other footing than the National Picture Gallery in Trafalgar-square, or any thing else besides which is national property of which every one is at perfect liberty to consult his own taste, in saying and publishing whatever he may think fit. To talk therefore of breach of confidence and the like with reference to the National School, can only be childish and ridiculous.

This preliminary question as to the legitimacy of the description being thus disposed of, no further reason seems to occur why it should not proceed. With the assurance, then, that no particular persons or locality whatever are intended to be referred to, the visitor to the National School may make his report as follows:

He enters and sees the same busy and orderly scene as before; his eye wanders along the walls in search of the crucifix or the Madonna—but finds them not. What! he thinks; Catholic teachers of youth without the presence of the crucifix or of the Madonna! It is new to him, and he wonders. He ventures to ask why they are not in the schoolroom, and is told, 'that it is for the sake of avoiding a too great familiarity with sacred images, which would be injurious to the children.' He never heard the doctrine before; and his wonder is greater. The clock strikes; the school business seems to stop; there is a momentary hush, and a sound of something being muttered by all present through compressed lips. It turns out to be the Hail Mary that is being murmured in this way, for fear of the Board, and without the sign of the Cross. The stir recommences, and the visitor is invited, after listening to a number of creditable examinations, on almost every variety of subjects, except the Catholic Church, to ask a few questions himself. He discovers to his surprise, that the pupils, who are well versed in the history of the Jews are almost without knowledge on all the leading events in the history of the Catholic Church, and scarcely to be aware that their Church has a history at all, certainly not that it has played a part in the fate of nations in comparison with which the history of the Jews sinks into insignificance. He finds also a like absence of knowledge of the history of England and Ireland. He inquires the cause, and discovers that these are branches of history that form no part of the reading-books of the Board. He asks if the children sing, and finding that they do, he requests to be allowed to hear them. A hymn is called for; and listening attentively, he makes out something in a general way about salvation to be the subject of the hymn; and at last he says, 'Oh! surely, in a Catholic school you must have some hymn or other to the Blessed Virgin; you can never be satisfied with mere generalities about salvation?' 'We would not be allowed by the Board to sing a hymn to the Blessed Virgin,' is the reply. As they go round the school, it might not impossibly happen that a child would come breathless with the intelligence, 'If you please, the 'Spector's coming!'* and in this case the sight he would witness would be a certain general sensation and activity in the schoolroom, a busy putting away and hasty concealment from inspectorial eyes of stray catechisms, sacred pictures, prayer-books, beads, and the like. He

* This is Anglo-Irish pronunciation. No Irish child begins by, "If you please;" and he never abbreviates—The "Priest of the Diocese of Birmingham" may have been thinking of "Tilly Slowboy's" "Oh, if you please, somebody's been and gone and killed himself." Had he read Carleton as well as Dickens he would have made the Irish child say, "Th' Inspecthor's cummin' ma'am;" but his dialogue is as fair as his fancy sketch of the "'Spector." It may be added, for the sake of commonplace readers, that all the above extract, is only Mr. Formby's "fun" poked at the National System, and is what the Scotch call "blatherin'."

would notice the entrance of an important official personage, with a glass to his eye, taking his look around with a consciousness becoming the representative of the ruling power, and wearing an air intended to intimate, that all were now in the presence of one who was fully prepared to vindicate the regulations of the Board from whatever infringements his survey should detect.

Catholics however, find themselves placed in a special difficulty with regard to the adoption and circulation of this rationalist coinage, which Catholic conscience can never suffer to pass by neglected and unnoticed. In the way of formal, positive, and specific denial of the truth, it will not be likely to transgress. Its nature is as much as possible to lack the positive element which is necessary to constitute a specific and pointed denial. But it may commit a very grave sin against Catholic truth nevertheless in the way of indirect inference and of direct suppression.

An instance in point demands attention as a sample of a numerous class. It occurs in Book III., Lesson XXI., 'The Grapes; or, the Temptation resisted.' A brother and sister are on the point of stealing some grapes for their mother, who is sick. However, the boy recollects himself that the act of stealing is forbidden, and reminds his sister; the little sister begins to cry, and to say, 'Oh, Willy, will God ever forgive me for having been so naughty?' 'Yes, my dear,' observes the lady, the owner of the grapes, who appears at the exact time; 'God always forgives you when you are truly sorry for your fault.' Now, in similar circumstances, no Catholic child could possibly have ever raised the doubt about being forgiven, but would have said at once, 'Oh, Willy, we have been very naughty, and very near committing a sin; we must see that we go and make a good confession.' And had the lady been a Catholic, she would have said, 'Yes, my dear child, go and make a good confession of your fault, and if you are truly sorry for it, God will forgive you.' The offence then here is the suppression and keeping out of view the divine institution of a sacrament for the forgiveness of sin."

Such is the system which this "Priest of the Diocese of Birmingham," who went through the schools, introduced by Dr. Cullen, and who publishes in *The Tablet*, recommends. Separation in every thing; a teaching formed specially to foster prejudice; a system by which all will be handed over to the exclusive government of the clergy; a system which shall be taught in schools closed against all,—where none "shall have any possible right or business," "except he is admitted in *confidence* as a friend." In the name of our country and its freedom, is this the system "vel Catholicus vel nullus?" If it be, well may we apply to the separatists of each side, the opinion expressed by Master Murphy—"The Government ought to do as much as they can to educate, and to obtain a proper control over the education of the people."

Where Mr Formby discovered these schools, which he has so vividly describes as existing before the introduction of the National System, we know not; for neither in the "Hedge Schools," nor in the Kildare-Place Schools had his fancied institution any place. The Bible was the grand feature of the latter, and *The Lives of the Rapparees* of the former plan.

That he, and those whom he represents, are wrong, is proved by the opinions of those amongst his co-religionists who can see the real interests of the Irish Nation, with eyes undimmed by the clouds and mists of faction, or of prejudice—and who hold that in the combined secular education of the people is the best security for the peace and well-being of all classes of Christians. Combined secular education can lead to rationalism, only when religion is excluded from the entire system; but in the scheme of education adopted by the Irish National Board, it is a part, an integral, important branch, earnestly and constantly imparted at the appointed times. When Mr. Formby and his friends accuse the system of being rationalistic, they attempt to mislead and delude the people,—the system is one in which Science is proved to be the handmaid of Religion: one in which the great mysteries of Chemistry, of Astronomy, and of Geology teach the pupils to receive the greater mysteries of Revelation in the humble, trusting, obedient spirit of Christians; of Christians who, in tracing the wonders of creation, of which it has pleased the Almighty to disclose the sources, can estimate the limit of human knowledge by the boundless extent, by the countless number of its secrets which are unknown. These were the points to which Dr. Doyle referred, when he stated to a Committee of the House of Commons, and his words should never be forgotten, for he added patriotism and scholarship to an intimate knowledge of the country and its wants, and was of a mind deeply sagacious, unwarped by any taint of ultramontanism,—"I do not see how any man, wishing well to the public peace, and who looks to Ireland as his country, can think that peace can ever be permanently established, or the prosperity of the country ever secured, if children are separated at the beginning of life on account of their religious opinions. *I do not know any measure which would prepare the way for a better feeling in Ireland, than uniting children at an early age, and bringing them up in the same school, leading them to commune with one another, and to form those little intimacies and friendships which often subsist through*

*life. Children thus united know and love each other as children brought up together always will, and to separate them is, I think, to destroy some of the finest feelings in the hearts of men."**

Let us now take the evidence, on this point, of Bishop Denvir :—

"8643. *Chairman.*] Do you see any indications of the existence of a better feeling between Catholics and Protestants arising from the system ?

I think that is a matter which can admit of no doubt whatever ; it is almost an instinct of human nature, that where boys are educated together in the same school from their infancy, they will cherish more or less affection and friendship for each other in after-life.

8644. Lord *Ardrossan.*] Do you think that the feelings which subsist between Roman Catholics and Protestants now in Ireland are more kindly than they used to be ?

Indeed I do. Within the sphere of my own observation, I think there is a kindlier feeling pervading the community generally than when I was a boy.

8645. Viscount *Clancarty.*] Arising from united education ?

I certainly cannot avoid ascribing great part of it to that cause.

8760. *Chairman.*] Do you think that the opinions you entertain on the subject of national education, are similar to those of the late Archbishop Murray and Dr. Croly ?

I think they are quite coincident with them.

We now give the evidence of Dean Meyler :—

"2136. Earl of *Desart.*] Will you give the Committee your opinion whether you think the system of separate grants would in general be congenial to the feelings of Roman Catholics in Ireland ?

I should be very sorry to see it ; it is very likely that the feelings of many might be in favour of having it ; I do not know.

2137. Do you think, or do you believe, that the Roman Catholics who wish to remove the mistrust which they feel prevails sometimes between the professors of different creeds in Ireland, would think that the system of separate grants would have a tendency to lessen or to increase the mistrust which so prevails ?

I will not venture to speak for others ; I think it would be a great obstacle to the union, which both in a civil point of view, and even in a religious point of view, I hope some day or other may be brought about between the Churches ; it is upon that principle I give my opinion ; I mean that I think a great deal of the difference between the two Churches arises from misconception, and from overstrained

* Professor Sullivan and Mr. Commissioner Macdonnell stated, to the Committee of 1854, that amongst Protestants and Roman Catholics trained in the Marlborough-st. Schools enduring friendships had sprung up, even though commenced at an age, between 18 and 23, when feelings and prejudices are formed and strong. A trained teacher said to us a few days ago—"The Schools are invaluable in making Protestants and Roman Catholics honor and respect each other, for what each is really worth ; and if the pastors of each would attend more closely to religious teaching, the system would be perfect."

ideas and prejudice, taken up in early life, which make the two Churches appear so much more hostile in their respective beliefs than they are in reality: a system of separate grants would only tend to increase that evil.

2138. You think a system of separation, involving the absence of all mutual sympathy from the earliest youth, would have a tendency to confirm the mistrust and hostile feelings which exist.

I think it would be very fatal to the country.

2139. Would not you also apprehend that some few Roman Catholic clergymen, who you would acknowledge have not always espoused the cause of peace and reconciliation, might sanction in some instances the introduction of books which might have a directly opposite tendency from that which you desire?

Indeed I think they might.

2140. Have you ever seen the Report of the Commissioners who went over to examine into the subject in 1825?

I never have read it attentively.

2141. Will you have the goodness to read the passage which I show to you?

'The evils with which separate education is evidently pregnant necessarily fixed our attention on the benefits which would result from a contrary course. A system of united education, from which suspicion should if possible be banished, and the causes of distrust and jealousy be effectually removed, under which the children might imbibe similar ideas, and form congenial habits, would tend rapidly to diminish instead of increase the distinctness of feeling which is now but too prevalent. We were led, therefore, anxiously to seek for the means of establishing a system of united and general education.' That expresses my sentiments.

2142. You entirely agree with those remarks?

I do.

2143. I may consider that you are decidedly in favour of a united system of education, as against the system of separate grants?

I am always taking into account that there must be no interference on either side.

2144. That is the only system which you consider conducive to the prevalence of peace and harmony between the different creeds in Ireland.

Yes, it is. I think the remark which was made by the Sovereign Pontiff, when this subject was discussed before him, was exceedingly in point—'that during the many years of the working of the system, not even an instance of corruption of faith or morals has been alleged.' For my own part, I have heard of no detriment to our Church, or to any individuals of it, from the system of the National Board of Education. In the Board itself, during the few years I have been there, I have witnessed with great pleasure the extraordinary harmony which has invariably prevailed. Being, I hope, not indifferent to my own creed, I have met with nothing which was not perfectly congenial to my feelings, and to my convictions. I thought it would have been an experiment almost impossible to be carried out, but I have seen it realised for many years most admirably, and

I hope nothing will be done to prevent its future success; unfortunately, the late contest which arose about the books has been to some extent injurious, but I hope there will be no difficulty in still carrying out the system; it is the greatest blessing which can be conferred upon the country. When the system was candidly and fully explained to the late Pope by Archbishop Murray, who advocated it with all that energy of mind which he always displayed when a great duty came before him, yielding to no intimidation, but with pity disregarding all mean attempts to withdraw him from the advocacy of the national system of education, the pope, although in the beginning he had entertained a very different opinion, at length called upon the Bishops to thank the Government for giving so much of its wealth to the education of the poor children of their country: let the system, he said, go on, but be cautious against the use of improper books; objections on that ground having been made by the enemies of the system. I believe that after the renewed experience of very many years since the Pope's decision, not one case can be produced by any violent agitator upon the one side or the other in which the system has been injurious to any one Catholic child.

2234. Is not it an unavoidable circumstance that the teachers must be either Protestants or Roman Catholics?

I think that the difficulties will be removed with regard to the Catholic children being allowed by their priests to be taught secular learning at schools where the teacher is a Protestant, by the Board showing that there is no disposition whatever to interfere with the religious faith of the children. I think the recent conduct of the Board, upon the occasion of Dr. Whately and Mr. Blackburne leaving it, and the books being expunged, will considerably contribute to allay those suspicions, and gradually to remove them.

2235. Still there would be an objection, on the part of persons of an opposite creed, to sending their children to any school which was not conducted under persons of their own persuasion?

I should not have any objection myself to have secular learning taught by Protestants, and I do not see that I should suspect other clergymen generally of having such an objection.

2236. Earl of *Harrowby*.] You would not be afraid of the insensible effect of the influence of the teacher generally?

Not in secular learning: if the Protestant were the cleverer man I should prefer his instruction. I would rather have astronomy, taught by a Sir Isaac Newton than by the eminent Catholic professor in the National Board in Dublin."

We now give the evidence of Master Murphy:—

"8897. *Chairman*.] What is your opinion of the practical working of the national system in Ireland?

I think it has done a vast deal of good; much more good than could have been anticipated from it.

8898. Lord *Beaumont*.] It has had great difficulties to struggle with? It has.

8899. *Chairman.*] In what respect do you think it has shown a failure?

The only respect in which it appears to me to have shown a failure is this; that it has not, I am sorry to say, secured the co-operation of the members of the Established Church, to the extent that I would wish it had done.

8900. You think it very desirable that their co-operation should be obtained, if it is possible to do so, without the sacrifice of any principle, which the majority of the people in Ireland consider it necessary to maintain?

I should most anxiously do anything in my power to effect that most desirable object.

8908. You have referred to the hedge-schools; does your memory extend sufficiently far back to remember the state of those schools, and the qualifications of the teachers?

I can only speak of them from hearsay.

8909. To what conclusion does the tradition which may have satisfied your own mind, lead you?

The introduction of the national system was the greatest blessing which could have been conferred upon the Irish people.

8910. Among the traditions you must be familiar with on this subject, are the traditions of your own profession; was not it the fact, that the teachers of those hedge-schools, which were antecedent to the improved system of education being introduced into Ireland were, of all classes, the classes that were most viewed with suspicion from the character of the men, both socially, politically, and morally?

I have always heard so, and believe it.

8911. Lord Bishop of *Ossory.*] I suppose in the same way you are acquainted with the character of the hedge-schools, you are aware that a great improvement was made, both with respect to the character of teachers, by the training-school in Dublin, and with respect to the books employed in the general education of the poor by the labours of the Kildare-place Society?

Assuredly.

8912. Lord *Ardrossan.*] Do not you think, practically, that though in the north, perhaps there is a greater mixture of different denominations in the non-vested schools, the non-vested schools have become denominatonal schools?

To a very considerable extent, I believe they have.

8913. Do you think that even under a system of separate grants, they could become much more disunited than they are at present?

They could not, perhaps, become more denominational in regard to numbers or the class of persons who attend them, but I am satisfied they would become more denominational and violent in feeling and in hostility to the schools around them."

We now adduce the evidence of Sir T. N. Redington :—

"5253. Earl of *Desart.*] Supposing it to be impossible, by any concession which you would think it reasonable to make, to conciliate the support of the clergy of the Established Church to the Board of

National Education, do you think that the clergy of the Established Church have a fair ground for asking for a separate grant for the education of the children of their flocks belonging to the Established Church?

I consider that the education of the people is a matter which not only regards the clergy, but the laity; I should be opposed, in a mixed country, to any separate system of education. If such a thing were proposed to-morrow, I should require that the laity should have the direction of that grant, as well as the clergy; and that it should not be left in the hands of the clergy of any persuasion.

5255. Does not that afford them a very good ground for making an appeal to Parliament to give them a separate grant for the education of the children of their flocks, in conformity with the religion which they esteem the true one?

That may be a ground for an appeal, but when I have to decide how that appeal should be met, I can only state that I am opposed, in a mixed country, to the system of separate education, which would teach a child that he belongs to one religious party, and is opposed to another religious party, thereby handing down through a whole generation feelings of religious antipathy and party spirit, which are the cause of so much mischief. And of all the countries on earth in which such a system should not be tried, Ireland is the country into which it ought last to be admitted.

5256. It would be a natural feeling, would not it, on the part of members of the Established Church, to look upon the clergy in the light of directors of their flocks in such matters?

I am not a member of the Established Church, and do not know how far members of the Established Church would be willing to concede that the clergy are to be the sole directors of the education of their flocks. As a Catholic layman, I should not hold that doctrine, as regards my own Church, although I know it is held by many Catholic clergymen and members of my own persuasion.

5258. Such a grant would establish a separate system of education, and the result would be, as you think, as the youths grew up in life, an increase of alienation, or perhaps exasperation, of feeling towards each other?

I even go so far as this: I think the feeling which results from children being educated in different schools, on account of the religious differences of their parents, is most mischievous. Looking to the permanence of the impressions received in childhood, it is a great evil to say to a child, you go to that school because you are a Roman Catholic, or you go there because you are a Protestant.

5259. Do you think that a system which establishes a separation on the grounds of religion at a given hour of the day, sending a portion of the attendants upon the school away from the religious instruction which others remain to receive, is not as likely to promote such feelings as their being educated in different schools?

No; because that is as inevitable as your Lordship going to church and my going to chapel. You cannot teach all religions from one book.

5311. Lord Bishop of *Ossory.*] Are you aware that it has been declared at Thurles, and embodied in the statutes, that the system which prevails in England, by which Roman Catholics obtain funds for carrying on their schools from the State, is in all respects to be preferred to that which exists in Ireland?

I believe something of that kind is in the statutes of Thurles.

5312. Do you assent to that?

I consider that the system could not be established in Ireland; I think in that country it is far from a suitable system.

5313. Do you know that the Bishops go on to say that this is their right, as well as that of their co-religionists in England, and that they claim it for themselves?

Yes, that is one of those things which are in the statutes of Thurles, which I consider not to have been dictated by any prudent view of what is practicable in the country. I do not conform to the opinions of the synod of Thurles, in reference to the Queen's Colleges or the national system. I have the highest respect for the authority of my Church in maters of doctrine; but with regard to those two systems, knowing a good deal about them, I think those regulations were framed under a misapprehension.

5314. Viscount *Hutchinson.*] Though they have been confirmed by the supreme authority of your Church?

Yes.

5315. *Chairman.*] Do those statutes contain any recommendations to the Bishops of the Roman Catholic Church, which have not been attempted to be acted on?

At the close or the paragraph upon the national system, it is stated, that in order that this matter may be set right, the four Archbishops are charged to communicate to the ruling authority the views of the Prelates. I was in office for 18 months and upwards, and never heard of any step being taken in conformity with that direction."

In addition to these Roman Catholic opinions we next give in evidence the testimony of Archbishop Whately:—

"1431. Have you any suggestions to throw out by which you think that the scruples of Protestants on the one hand, or of Roman Catholics on the other, could be met?

I certainly think that the adoption of a system of separate grants, which is what a very large portion of both parties are calling out for, would be highly inexpedient and dangerous, and would ultimately give dissatisfaction to both parties; and, as for any other modification, I do not understand distinctly what it is that any one would wish for short of that; if they wish for a system strictly confined to secular instruction in the schools during school-hours, and that any patron, he being willing to receive *all* the children who choose to apply for such secular instruction, should be at liberty to give religious instruction separately out of school-hours to those children, and *those only*, who *choose* to receive it, that is just what any patron of a school may do, *now*, and always was at liberty to do;

but if it be desired that the patron of each school is to *enforce* upon all the children attending the school whatever religious instruction he thinks fit to give either in the school or elsewhere, that amounts to a system of separate grants, which I conceive is fraught with danger."

"1435. Lord *Monteagle* of Brandon.] Do not you consider that if a concession were made upon the one side, namely, separate grants for schools more or less of a Protestant character, it would be a little inconsistent if there were not to be grants also made for schools that were more or less exclusively of a Roman Catholic character?

It would have been difficult, and I believe it was thought difficult by the Legislature 22 years ago, to carry on a system of grants to Protestant schools without making any allowance to Schools under Roman Catholic patronage. But I think it would be doubly difficult *now*, after the principle has been acknowledged (be it right or wrong) that the mass of the population, to whatever religious persuasion they may belong, have a right to have education placed within the reach of their children in the principles of elementary knowledge, without any violence being done to their religious scruples.

1436. What effect, in your Grace's judgment, would be produced upon the present national system, founded as it was, according to the desire of its framers, upon the principle of being a system acceptable to both religious denominations, by the establishment on its flanks of Protestant schools on the one hand, and of Roman Catholic schools on the other, both supported by the State; what would be the effect upon the common system which stood between them?

I think that the patrons of the existing schools, of both descriptions, would be eagerly and discontentedly craving for being put upon the same footing as the new schools.

1437. Then would it not be a system that would either lead to animosity, contest and discontent, or else to the establishment of two separate and distinct systems of education, the one Protestant and the other Roman Catholic?

I think it would lead first to the one and then to the other. There would at first be a great deal of animosity, heart-burning and disturbance; and then at last a concession would be made avowedly to animosity and angry complaint, which would just be considered as the kind of concession which the Lord Bishop of Ossory and myself both concur in thinking the very last that should be made, the yielding of an important principle to clamour."

We have adduced this very important evidence, as it proves that the opinions recorded by the Commissioners of 1812, and the sentiments so powerfully expressed by Dr. Doyle, are still the convictions of those who can look to the interests of Ireland, and who can see that in the union of all religions of her people consists the best security for her prosperity.

Mr. Formby parades opinions given in the year 1837, upon

the working of the National System, before the Committee of that year; but he avoids any reference to the various *Reports* issued since by the National Board; he re-publishes his book during the sitting of the Committee of 1854; he does not wait for its evidence, because it strikes down, every frail proof he had given of the dislike of the Irish Roman Catholics to the system; he does not write, "I have misunderstood, as many an English observer of Ireland before me has misunderstood, the wants and feelings of the people," but he inserts a note in this second edition, which states that he alone is accountable for the sentiments contained in the pamphlet; but Archbishop Cullen introduced him to the schools, *The Tablet* published his impressions—would it *dare* to do so if the "Priest of the Diocese of Birmingham" had not been backed by the introduction of Dr. Cullen? would it have *dared* to print them if the introduction had not been considered an imprimatur?

The system, say the Protestant opponents, is unscriptural; it is "Rationalistic," say the Roman Catholics: can they not teach their religions fully, during the hours of separate instruction? Can they not give this instruction as often as they please; and is a system rationalistic which sanctions this course, and which, by this course, enables the scholars to comprehend the eternal wisdom, and power, and the ineffable goodness of the Almighty, as proclaimed in all the wondrous wonders, which their secular combined studies display before their opening minds. Let the children of each faith be made firm believers in its truths, by their own peculiar pastors; let every dogma that churchmen ever deemed of importance be indoctrinated at the hours of separate instruction,—but, when the children come together at the times of combined teaching, then let us adopt the principle asserted by Dean Meyler, when he said that the best secular knowledge should be imparted, without reference to the creed of the teacher,—"I would rather have astronomy taught by a Sir Isaac Newton than by the eminent Catholic professor in the National Board in Dublin." Let the pastor teach his faith to his flock, and be as zealous in the teaching, as the lay professor is active in imparting his science; and then, if the boy marvels at the glories of the heavens, with all their wonders of the day and night; if he feels his heart elevated, and his mind enlarged by the power of that beauteous thing, the fancy, which genius clothes in words, to witch and charm the world, and which we call poetry

and eloquence; or if he pause in the contemplation of some deep, and subtilely wrought experiment in Chemistry, or Mechanics, he will, in all these, see but developments of that Omnipotent Wisdom of which they are the ever-proclaiming evidences.

We have, at considerable length, but not at a length beyond the importance, the vital importance, of the subject, endeavoured to place, without leaning in the statement to any side, the opinions held by the various parties in this country on the subject of National Education; and we have done so, finding, from communications with many correspondents, that whilst the English people were ignorant of the great points in our Educational system, the Irish people were equally ignorant of the systems pursued in England, an ignorance in which but too many of those examined before the Committee shared. *We* do not venture to push our opinions of what is suitable for England upon the people of England; but we must protest against an English Wesleyan like Mr. Heald, or a "Priest of the Diocese of Birmingham," like Mr Formby, presuming to pass judgment upon the system of education suited to the Irish Nation.

But whence has all this disputing and dissension arisen?—from an attempt to introduce a combination in religious instruction amongst the pupils. We believe this to have been a deplorable error; and the whole anxiety which at present oppresses every man who longs to see Lord Stanley's plan carried out, is caused by a forgetfulness of the fact, that the Roman Catholics will not read books of a *religious* nature prohibited by their church. With the common truths of Christianity, in which we all agree, the ordinary reading books of the Board are fully imbued. Mr. Blackburne's evidence upon this point is plain:—

"979. Lord *Monteagle* of Brandon.] Independently of the 'Scripture Extracts,' with respect to which you have been examined, are there not most valuable and extensive extracts from Scripture in the ordinary reading books, to which no objection at all has ever been made?

Just so; there are.

980. In that respect alone (not excluding the further consideration of the more important benefits derived from the more complete study of the Scriptures), do you not conceive, comparing the state of these schools with that of the antecedent schools which were distributed over the country, that great practical benefit has been effected, justifying the principle of combined religious and secular education?

I think those are invaluable books, and a course of instruction in them must produce salutary consequences."

So far the evidence is satisfactory, but here, we contend, combined religious instruction should cease, and for a reason broadly and plainly, and as we take it, very honestly stated by Dean Meyler :—

"2135. Lord *Monteagle* of Brandon.] Taking the Irish peasant in general, has he much time and opportunity for reading any books? He has not; if they have time to read the practical explanation of the Sacraments, &c. &c., it is as much as they can do. Moreover, it should always be remembered that the Roman Catholic feels himself in an entirely different position from the individuals of all other creeds or Churches, for the Catholic believes that the meaning or sense of the Scripture has been, as well as the Scripture itself, deposited with the Church, and that, consequently, he has no need of Scripture investigations like the individuals of other Churches, who are, comparatively, left to themselves. The Catholic has only to hear and to know the teaching and doctrines of his Church, and which is deposited in his Catechisms, and communicated through teaching; still, such Roman Catholics as desire the consolation of reading and studying the very words themselves of Scripture are not prevented; they are and should be encouraged to do so; yet, after all, as the Catholic believes that he has the meaning of the Word from the same spirit that dictated the Word itself, he is unjustly reproached when he does not read the Scriptures; and I will add, it will be even a vain attempt to make what is called *Scripture readers* of such believers."

On this evidence we think there can be little doubt, the experience of years has proved its foundation.

But what, it may be fairly demanded is to be done to reconcile all parties. On one side is the Bishop of Ossory's plan, on the other the exclusive Protestant, and on another the equally exclusive Roman Catholic party. Our suggestion, from a very careful reading of the evidence would be, that the entire body of rules should be remodelled, and rendered plain and simple; that all books should be excluded from the schools, during the hours of combined instruction, save those known as the ordinary class books; that the *Christian Evidences*, both editions of *The Scripture Lessons*, and the *Book of Sacred Poetry* should not be read save during *separate religious* instruction; that an increased corps of *all* classes of Inspectors should be appointed; that higher salaries should be paid to the Masters, who would thus be retained in the service of the public who trained them; that an increased number of District

Model Schools should be erected, and the entire number of schools now non-vested should be changed into vested,—none but vested schools to be for the future recognized, but all patrons to be secured in the possession of their schools, on repaying the money advanced for building by the Board, *should the rules of the Board be hereafter changed,* and the patrons be unwilling to continue in connexion with it, after these changes should be made.

It is, however, to be regretted, that the attention of the Committee was not more fully directed to an examination of the internal and administrative departments of the Board and of its officers. Not that we have reason to suppose anything is wrong in these branches; but, the space of 23 years is more than sufficiently long to render such an examination as we suggest advisable in any case of any Board ever yet formed.

If a system founded on these fair principles, *and giving, at the same time,* the fullest power to the pastor of the children of any religion who might be pupils in the school the perfect right of securing their attendance on as many days in each week, and at such fixed hours as he might think proper to appoint for the separate religious instruction of his flock, none could complain, provided that the time appointed for religious instruction was such as to allow the children not less than four hours each day for combined secular instruction.

We have no crotchets or fancies of our own to serve in advancing these suggestions. We believe our plan to be fair and equitable to all parties; it is founded upon a careful study of the Minutes of Evidence, and would, we think, meet the wishes of all, save those of the O'Sullivan or Formby party of impracticables.

We are most anxious that the whole number of schools should be vested, and the patrons rendered secure in the future possession of them. On this point, Bishop Denvir, and Mr. Blackburne, are clearly and expressly with us. Dr. Denvir's evidence is as follows:—

"8726. Earl of *Harrowby.*] What is the ground of objection that is entertained to vesting schools in the Commissioners?

The objection is this: suppose that a Catholic patron builds a school with money collected or supplied by himself, and that he vests the school in the Commissioners. In times past many changes of governments have taken place in Ireland; some of them adverse to national education, and some of them favourable to it. If the Catholic patron, above supposed, had vested his school in the Com-

missioners; and if a government adverse to the present national system abolished it, or forced a system of religious instruction into the school of which he disapproved, he would be obliged to withdraw his children from the school on which he expended his own money or that collected by him; then, on withdrawing the children from this school, where was he to place them? The Commissioners had possession of the school, and it being theirs by law, they would retain it; so that the Catholic patron would be obliged to take the children to be taught into the chapel, if there were one, or to have them taught under a hedge, as they were taught in old times.

8727. The objection felt is, that there would be, under the system of transfer to the Commissioners, less security that within the walls of the school a system should be pursued which would be acceptable to the feelings and consciences of the Roman Catholics, the original contributors to the building?

Certainly.

8728. Does any objection arise from the circumstance, that in vested schools there is the necessity of making provision that the pastors of all religious persuasions should have the use of the schools for the purpose of religious instruction?

In vested schools I conceive that the pastors have the right to give religious instruction to the children of their own flocks, apart from the others.

8729. Does the objection arise partly from the circumstance that in vested schools access for such purposes would be secured?

No, that was not the ground of objection.

8730. Lord *Beaumont.*] It arose entirely from the fear of a change of the system?

A fear of a change of the system, and of losing the schools at some time or other."

The following is the evidence of Mr. Blackburne:—

"1051. Lord *Fingall.*] Are you aware that the number of vested schools bears a very small proportion to the number of non-vested schools?

I believe so.

1052. Do not you consider that it would be of advantage if there were more schools vested in the Commissioners?

I should think so. They have more control over them, and I think there is more security for their good management.

1053. Do not you think that a great deal of the disrelish towards the vesting of schools is caused by the uncertainty which for some years has hung over the system of national education?

I think so. I think the schism with respect to it has greatly prevented the increase of the number of vested schools."

Having placed the opinions of men of so great position in their respective spheres before the reader, we here insert a summary of vested and non-vested schools as they stood for the half-year ending March 31st, 1853:—

SUMMARY of VESTED and NON-VESTED SCHOOLS.

	Number of Schools.	Number of Children on the Rolls for the Half-year ending 31 March 1853.						
		Established Church.	Roman Catholic.	Presbyterian.	Dissenters.	Total stated.	Not stated, or not ascertained.	Grand Total.
Vested - -	1,508	5,460	123,939	5,415	373	135,187	5,511	140,698
Non-vested -	3,196	18,169	266,901	34,336	1,710	321,116	28,213	349,329
TOTAL -	4,704	23,629	390,840	39,751	2,083	456,303	33,724	490,027

We here close our case for the continuance of the National System on a plan such as honest Irishmen of all religions may support. We regret that those tables of united vested schools are not more numerous, but that in many places the schools, vested or nonvested, must be exclusively Roman Catholic in attendance is a circumstance arising from the fact, that in these places there are no Protestants to attend them. But the whole bearing of this question has been thus ably and briefly stated by Mr. Cross in his evidence :—

"Perhaps I may be permitted by the Committee to state, as a conclusion to my examination, that I have frankly admitted in the course of it, that the national system of education as a united system has failed to a considerable extent. The various causes of that failure I have stated with honesty and candour. I lament that such has been the result. I cannot forget, however, and I wish the Committee to remember it, that the great and primary object, as I conceive, of the national system of education, as laid down in the letter of the noble Lord, Lord Stanley, was to educate the children of the poor of Ireland of all religious persuasions upon a plan free from the suspicion of proselytism, which would preserve inviolate, under all circumstances, and in the midst of all difficulties, the sacred rights of conscience. The national system of education, I boldly assert, has not failed in effecting that noble purpose ; it has succeeded triumphantly, especially when your Lordships consider, that it has been in operation for upwards of 20 years ; that it has been strenuously opposed by the clergy of various religious denominations ; and that the most extraordinary amount of prejudice and misconception has prevailed, and continues to exist, with regard to its objects and principles, amongst a great number of the most intelligent people of the community. There is one remarkable fact which I am desirous of impressing strongly on the minds of the Committee ; it is this, that no case of actual proselytism has been proved during that long period ; that no religious zealot, no matter to what Church he might belong, has dared to violate, or could do so with impunity, the impartial and tolerant principle of the national system, which respects alike and protects from interference the religious faith of Protestants and Roman Catholics. It is possible that changes may be devised in the national system of education, by which it may be improved in its administration, and rendered more acceptable to all parties. The Commissioners may not (in the opinion of this Committee) have always exercised a sound judgment, or been sufficiently firm ; and that their officers may have committed errors in carrying out parts of the system in the discharge of the trust confided to them. But this I confidently affirm, that the Commissioners have evinced the strongest desire to administer the system with an earnest desire to meet the conscientious scruples of a large portion of the members of the Established Church who have been, and still are, unfortunately, opposed to it. I stated deliberately, on a former day, that if any safe or just arrangement could be made in order to

remove those objections, without abandoning the fundamental principle of *non-compulsion*, it would be a most desirable object to accomplish, and the result would be a happy one for the nation at large ; but, my Lords, any change which touches the comprehensive basis upon which the national system rests will produce disastrous results. If any attempt be made to alter it in any of its essential parts, or to encroach on its original principles, the whole edifice will crumble to pieces. If any party in the State succeed in subverting the system, they will destroy a noble work, which the Commissioners have been labouring to build up and complete during a period of 23 years, in the midst of greater difficulties than any general system of education for the poor ever encountered in Ireland or in any other country. I trust, my Lords, I have not gone beyond the limits within which I ought to have confined myself as an humble witness, by expressing my individual opinions so strongly on the great question now placed in your hands—opinions not hastily formed, but the result of much thought and great experience."

That the Protestant Clergy have checked this movement, just as the ultra Roman Catholic party would check it now, is admitted: but is the government blameless? Clergymen who have supported the National System have been nicknamed "Whatelyites," and have been accused of sacrificing their Protestantism to, and compromising their faith by, joining the Roman Catholics and Presbyterians in adopting the National System, and placing their schools in connection with the Board. Yet how have these men been treated by the Government? They were welcome, doubtless, at the Castle; they were received graciously at the Levee; and whilst their brethren sneered at them, whilst perhaps their Bishop frowned, they knew that in supporting the National System, they were supporting a government measure. But when livings were to be disposed of; when patronage was to be dispensed, all was for those who had opposed, and had bitterly opposed, the establishment of National schools; and when a Colonial Bishoprick was ever in the gift of the Government, it was hawked through the ministers of the Irish Church, and offered to those who, on platform and in pulpit, by word and pen had been the bold, never ceasing, factious denouncers of the Irish Board of National Education. By a strange infatuation, Dr. O'Sullivan has convinced himself that, as he told the Committee, "some of the clergy have suffered, what would not improperly be called martrydom, for their fidelity to the cause of Scriptural Education." The Doctor's statement, coupled with the *facts*, proves that martyrdom is not all pain—and shows that there are occasions when

men would be very willing to cry with *Mawworm*, "I likes to be despised." The Government which, tyrannically and cruelly, gives livings and patronage to the opposers of its most important measures is but carrying out the old governmental principle, upon which statesmen in Ireland have so frequently acted, and proves that it is "cheaper to buy than to breed;" wiser for a viceroy to adopt the principles of a newly-established chapman who gains the custom of fresh buyers by dealing with them on more advantageous terms than with those who stood by him in the days when support was salvation. Thus treated the ecclesiastical leaders of the Protestant party of separatists have grown firm and bold, and they now press for the adoption of a system which will make men hate and fear each other, until distrust will become so unbounded that none can say what religious gathering may not end as that of Newtown-Limavady; what outrage by drunken ruffians may not produce unchristian scenes like those witnessed at Trillick.

Whether the future of Ireland is to be peaceful and prosperous, and blessed with all the advantages which crown the efforts of an educated, *united* people, or whether she is to be crushed by such ghastly horrors as afflict the lands where civil strife and sectarian rage madden men to crimes, at the record of which the historian pauses in wonder and regret that amongst the professing followers of a law of love, and in the assumed service of that law, Faith seemed dead and Charity unknown, rests in the wisdom of that Parliament which will assemble whilst this page is before the reader. Most ardently do we hope that the National System will be established on a sure and firm basis of combined secular and separate religious education; and one which will secure the confidence of all parties worthy of consideration: there is no plainer, or better expressed truth in this important *Report* with which we have been dealing than that sentiment which Mr. M'Creedy proclaimed when he said—"The confidence of a people is a grand, an imperial object to attain; a thing of regal worth, cheap at almost any cost, except the cost of principle—the sacrifice of the just and right; and to secure which, therefore, we should not higgle about the terms, in the spirit of petty traffickers, as to the more or less of some grains or scruples, but at once bid liberally and generously."

If ever, in Ireland, a time was suited for this experiment it is the present. The agitators who in older days clung to

O'Connell in his overwhelming career have passed away; the penny tricksters, the political blacklegs who, in this day, when seeking the support of a constituency pledge soul and honor, annihilating all that makes the dignity of manhood, to gain the votes of a faction, and to gratify an ignorant, thoughtless hood-winked rabble, and then sell honor, and barter truth, forgetting all pledges, to gratify themselves, have disgusted even such constituencies as returned them. With all the evidences of usefulness before us, as furnished by the Minutes of the Committee; with the absence of outward disturbing elements, with every opportunity within our power of adoption, with all these circumstances favorable to the full developement of the National System of Education we repeat Mr. M'Creedy's opinion—"The confidence of a people is a grand and imperial object to attain; a thing of regal worth, cheap at almost any cost, except the cost of principle—the sacrifice of the just and right; and to secure which, therefore, we should not higgle about the terms, in the spirit of petty traffickers, as to the more or less of some grains or scruples, but at once bid liberally and generously."

If the sentiments expressed by Mr. M'Creedy be adopted by those high in official position at the Board; if they dare to do those things proved necessary before the Committee, how noble a future would these schools open for Ireland! Faction baffled and bigotry crushed; ignorance dispelled and learning advancing; no rivalry save that mental emulation which is to the intellect as the exercise of the gymnasium to the body, strengthening and salutary; the youth of every creed growing in friendship, because in the fellowship, of those of other faiths, whilst the pastor of each would have full, free, and certain means of instructing his flock in religious duty; and the youth of each faith, by measuring mind with mind amongst their coevals in the hours of secular instruction, would discover that widely as Protestant, and Roman Catholic, and Presbyterian, and Baptist may differ in religious convictions, yet that in genius and in intellect all are equal, save when God makes some richer in those gifts than others whom he less favors.

And this association would not destroy the emulation by which the irksomeness of study is made supportable to the young scholar. These schools would open to all religions an arena most noble and worthy of the Nation; an arena where

wisdom would preside; an arena the prize of which would be more glorious than the laurel of the warrior, higher than that wreath with which the grateful city honors its benefactor; but above all these, and grander and holier is the prize of him who is victor in this arena—the conquered city may be leaguered and may fall before the power of the enemy—and the victor of to-day may become the vanquished of to-morrow; the edifices which the civic favorite raised may sink before the tempest or the fire, column and effigy may decay, fortress and citadel may fall, and all that we fondly called eternal may crumble beneath the crushing weight of Time's unswerving pace, but against the prize of this arena, not time, not war, not all the mightiest power of most potent monarch can prevail, blessed and blessing it is above them all, and shines in glory and in radiance on all, for the prize is that hope of the scholar, that dream of the sage, that luring witchery which wins the mind, and in pursuit of which men turn old while life is young—the prize is Knowledge. Knowledge such as the Christian may possess; knowledge rendering the youth of Ireland fitted for something nobler than to be the puppets of fools and knaves; knowledge which will rouse the future men of Ireland from that apathy, or from that misemployed zeal which have been the curses of past generations, —to afford this knowledge is the duty of the State, to watch carefully its working and its extension is the duty of any Corporation calling itself "Commissioners of National Education in Ireland."

These schools can only be successful in the future, through the full and honest support of the Legislature. If they are not proved to be the *only* institutions of an educational nature aided by Government, the Government will be but deceivers of the country, and will enact, in a lesser, but more mischievous degree, the principle of patronage to the opposers of the system so frequently adopted, and to which we have already referred. If the separate schools be admitted into a participation of the grant, twenty-two years of active and earnest working of the National system will be rendered nugatory. But we do most sincerely trust that the country shall not be afflicted by the horrible results of this separate system. Remembering what the state of National and popular education was, and recalling what it is, we may appeal to our rulers, in the noble words of Milton,—"What should ye do then, should ye suppress all this flowery crop of

knowledge and new light sprung up and yet springing daily in this city? Should ye set an oligarchy of twenty engrossers over it, to bring a famine upon our minds again, when we shall know nothing but what is measured to us by their bushel? Believe it, lords and commons! they who counsel ye to such a suppressing do as good as bid ye suppress yourselves. Ye cannot make us now less capable, less knowing, less eagerly pursuing the truth, unless ye first make yourselves, that made us so, less the founders of our true liberty. We can grow ignorant again, brutish, formal, and slavish, as ye found us; but you then must first become that which ye cannot be, oppressive, arbitrary and tyrannous, as they were from whom ye have freed us."

In our next number we shall present, in the second paper of this series, a full history of those important institutions, The Factory Schools, gathered from books, and from a personal inspection of the most perfect of those Establishments.

APPENDIX.

The following documents are extracted from the *Reports of the Commissioners of National Education in Ireland, from the year* 1834 *to* 1845, Vol. I. We reprint them here, as they are the most important of those referred to in the course of the evidence taken before the Select Committee. The chief paper is Lord Stanley's letter.

LETTER OF THE RIGHT HON. E. G. STANLEY,

Chief Secretary to His Excellency the Lord Lieutenant,

ADDRESSED TO HIS GRACE THE DUKE OF LEINSTER.

Irish Office, London, October, 1831.

My Lord—His Majesty's Government having come to the determination of empowering the Lord Lieutenant to constitute a Board for the superintendence of a system of National Education in Ireland, and Parliament having so far sanctioned the arrangement, as to appropriate a sum of money in the present year, as an experiment of the probable success of the proposed system, I am directed by his

Excellency to acquaint your Grace, that it is his intention, with your consent, to constitute you the President of the New Board. And I have it further in command to lay before your Grace the motives of the Government in constituting this Board, the powers which it is intended to confer upon it, and the objects which it is expected that it will bear in view, and carry into effect.

The Commissioners, in 1812, recommended the appointment of a Board of this description, to superintend a system of Education, from which should be banished even the suspicion of proselytism, and which, admitting children of all religious persuasions, should not interfere with the peculiar tenets of any. The Government of the day imagined that they had found a superintending body, acting upon a system such as was recommended, and intrusted the distribution of the National Grants to the care of the Kildare-street Society. His Majesty's present Government are of opinion, that no private Society, deriving a part, however small, of their annual income from private sources, and only made the channel of the munificence of the Legislature, without being subject to any direct responsibility, could adequately and satisfactorily accomplish the end proposed; and while they do full justice to the liberal views with which that Society was originally instituted, as well as to the fairness with which they have, in most instances, endeavoured to carry their views into effect, they cannot but be sensible that one of the leading principles of that Society was calculated to defeat its avowed objects, as experience has subsequently proved that it has. The determination to enforce in all their Schools the reading of the Holy Scriptures without note or comment, was undoubtedly taken with the purest motives; with the wish at once to connect religious with moral and literary education, and, at the same time, not to run the risk of wounding the peculiar feelings of any sect, by catechetical instruction, or comments which might tend to subjects of polemical controversy. But it seems to have been overlooked, that the principles of the Roman Catholic Church (to which in any system intended for general diffusion throughout Ireland, the bulk of the pupils must necessarily belong) were totally at variance with this principle; and that the reading of the Holy Scriptures without note or comment, by children, must be peculiarly obnoxious to a Church, which denies, even to adults, the right of unaided private interpretation of the Sacred Volume in articles of religious belief.

Shortly after its institution, although the Society prospered and extended its operations under the fostering care of the Legislature, this vital defect began to be noticed, and the Roman Catholic Clergy began to exert themselves with energy and success, against a system to which they were in principle opposed, and which they feared might lead in its results to proselytism, even although no such object were contemplated by its promoters. When this opposition arose, founded on such grounds, it soon became manifest that the system could not become one of National Education.

The Commissioners of Education, in 1824—'25, sensible of the defects of the system, and of the ground, as well as the strength of the objection taken, recommended the appointment of two Teachers

in every school, one Protestant, and the other Roman Catholic, to superintend separately the religious education of the children: and they hoped to have been able to agree upon a selection from the Scriptures, which might have been generally acquiesced in by both persuasions. But it was soon found that these schemes were impracticable; and in 1828, a Committee of the House of Commons, to which were referred the various Reports of the Commissioners of Education, recommended a system to be adopted which should afford, if possible, a combined literary, and a separate religious education, and should be capable of being so far adapted to the views of the religious persuasions which divide Ireland, as to render it, in truth, a system of National Education for the lower classes of the community.

For the success of the undertaking, much must depend upon the character of the individuals who compose the Board; and upon the security thereby afforded to the country, that while the interests of religion are not overlooked, the most scrupulous care should be taken not to interfere with the peculiar tenets of any description of Christian pupils.

To attain the first object, it appears essential that a portion of the Board should be composed of men of high personal character, and of exalted station in the Church; for the latter, that it should consist in part of persons professing different religious opinions.

It is the intention of the Government, that the Board should exercise a complete control over the various schools which may be erected under its auspices, or which, having been already established, may hereafter place themselves under its management, and submit to its regulations. Subject to these, applications for aid will be admissible from Christians of all denominations; but as one of the main objects must be to unite in one system children of different creeds, and as much must depend upon the co-operation of the resident Clergy, the Board will probably look with peculiar favor upon applications proceeding either from,

1st. The Protestant and Roman Catholic Clergy of the Parish or,

2nd. One of the Clergymen, and a certain number of Parishioners, professing the opposite creed; or,

3rd. Parishioners of both denominations.

Where the application proceeds exclusively from Protestants, or exclusively from Roman Catholics, it will be proper for the Board to make inquiry as to the circumstances which lead to the absence of any names of the persuasion which does not appear.

The Board will note all applications for aid, whether granted or refused, with the grounds of the decision, and annually submit to Parliament a Report of their proceedings.

They will invariably require, as a condition not to be departed from, that local funds shall be raised, upon which any aid from the public will be dependent.

They will refuse all applications in which the following objects are not locally provided for:—

1st. A fund sufficient for the annual repairs of the school-house and furniture.

2nd. A permanent salary for the Master, not less than pounds.

3rd. A sum sufficient to purchase books and school requisites at half-price, and books of separate religious instruction at prime cost.

4th. Where aid is required from the Commissioners for building a school-house, it is required that at least one-third of the estimated expense be subscribed, a site for building, to be approved of by the Commissioners, be granted to them, and the school-house, when finished, to be vested in them.

They will require that the Schools be kept open for a certain number of hours, on four or five days in the week, at the discretion of the Commissioners, for moral and literary education only; and that the remaining one or two days in the week be set apart for giving, separately, such religious education to the children, as may be approved of by the Clergy of their respective persuasions.

They will also permit and encourage the Clergy to give religious instruction to the children of their respective persuasions, either before or after the ordinary school hours on the other days of the week.

They will exercise the most entire control over all books to be used in the schools, whether in the combined literary, or separate religious instruction; none to be employed in the first, except under the sanction of the Board, nor in the latter, but with the approbation of the Members of the Board of the persuasion of those for whom they are intended.

They will require that a Register shall be kept in the Schools, in which shall be entered the attendance or non-attendance of each child on Divine worship on Sundays.

They will, at various times, either by themselves, or by their Inspectors, visit and examine into the state of each School, and report their observations to the Board.

They will allow to the individuals or bodies applying for aid, the appointment of their own Teacher, subject to the following restrictions and regulations:

1st. He (or she) shall be liable to be fined, suspended or removed altogether, by the authority of the Commissioners; who shall, however, record their reasons.

2nd. He shall have received previous instruction in a Model School, to be established in Dublin,

N.B.—It is not intended that this regulation should apply to prevent the admission of masters or mistresses of schools already established, who may be approved of by the Commissioners, nor of such as the Board may think fit to appoint, before the proposed Model School may come into full operation.

3rd. He shall have received testimonials of good conduct and of general fitness for the situation, from the Board, or the persons employed by them to conduct the Model School

The Board will be intrusted with the absolute control over the funds which may be annually voted by Parliament, which they shall apply to the following purposes:—

1st. Granting aid for the erection of Schools, subject to the conditions hereinbefore specified.

2nd. Paying Inspectors for visiting and reporting upon schools.
3rd. Gratuities to Teachers of schools conducted under the Rules laid down, not exceeding pounds each.
4th. Establishing and maintaining a Model School in Dublin, and training Teachers for country schools.
5th. Editing and printing such books of moral and literary education as may be approved of for the use of the schools, and supplying them and school necessaries, at not lower than half-price.

I have thus stated the objects which His Majesty's Government have in view, and the principal regulations by which they think those objects may be most effectually promoted; and I am directed by the Lord Lieutenant to express His Excellency's earnest wish that the one and the other may be found such as to procure for the Board the sanction of your Grace's name, and the benefit of your Grace's attendance.

A full power will, of course, be given to the Board to make such regulations upon matters of detail, not inconsistent with the spirit of these Instructions, as they may judge best qualified to carry into effect the intentions of the Government and of the Legislature. Parliament has already placed at his Excellency's disposal a sum which may be available even in the course of the present year; and as soon as the Board can be formed, it will be highly desirable that no time should be lost, with a view to the estimates of the ensuing year, in enabling such schools, already established, as are willing to subscribe to the conditions imposed, to put in their claims for protection and assistance; and in receiving applications from parties desirous to avail themselves of the munificence of the Legislature, in founding new schools under your regulations.

I have the honor to be, my Lord,
Your Grace's most obedient Servant,
E. G. STANLEY.

To His Grace the Duke of Leinster.
&c. &c.

The following Document, explanatory of some of the foregoing Conditions, which have been misunderstood, having been drawn up by the Commissioners as containing their views of them, has received the approbation and sanction of His Majesty's Government.

As some parts of the plan of Education committed to the Commissioners, to be by them carried into effect, have, as it appears, been misunderstood, the Commissioners beg to submit to Government, the sense in which they have understood and acted upon, the instructions given in the letter of the Chief Secretary for Ireland, that the Government may confirm them in their mode of procedure where they are right, and correct them where they are wrong.

I. In giving a control to individual members of the Board, over Books to be used in the particular religious instruction of different denominations of pupils, the Board do not understand that it was

the intention of His Majesty's Government either to claim for themselves, or to vest in the Commissioners, any control over the use of the Sacred Scriptures, or over the standards of the Established Churches of Ireland—or of Scotland—or of the Roman Catholic Church; but only over books composed by private authors; and that the control over these is required merely for the purpose of checking the introduction of books of injurious tendency.

II. The Board do not understand that it is imperative upon them to edit all Books used in the schools receiving grants from them; but that they are at liberty to sanction such Books as may previously be in use in schools, in behalf of which applications are made; or such as may be preferred by the local patrons and conductors of schools, provided that they find nothing objectionable in them. Under this view of the duty assigned to them, they require a list of the Books used in the schools which they are requested to aid, and have already frequently sanctioned the school-books issued by the Kildare-place Society—and also, after certain alterations, the School books issued by the Catholic Book Society. The Board wish to remark, that they have never conceived it would be expedient to render the use of any particular book or books imperative.

III. The Board understand that the control over teachers of schools is vested primarily in their Local Patrons and Conductors; and that the power required by the Government to be conceded to the Board, of fining and dismissing Teachers, is to be exercised only in case of such Local Patrons and Conductors, after receiving grants, seeking to protect Teachers in violating the rules of the Board; or retaining Teachers found, on trial, to be incompetent.

IV. The Board understand that they are to require a permanent submission to its regulations, only in those cases in which grants have been made towards the erection of school-houses, to be vested in trustees, according to the directions of Government; and that in schools receiving occasional or annual grants, such as salaries for the Teachers, &c., they are to require submission to their regulations only during the period for which grants are made.

V. By encouraging the Pastors of different denominations to give religious instruction to the children of their respective flocks, out of school hours, the Board understand, merely affording to such Pastors facility of access to the pupils at the times specified, and not employing or remunerating them. And they understand that the parents and guardians of the children are to determine to what denomination they respectively belong—the Board taking no cognizance of the matter.

VI. The Board understand that the times for religious instruction are to be determined by the Local Patrons and Conductors of Schools; the power vested in the Board on that subject being merely to see that, at least, one week-day in the week is set apart for that purpose; they also understand, that the religious instruction given may, or may not, be in the school-room; the choice of the place being left to the Pastors of the children, but that liberty is to be secured to them to assemble the children of their respective flocks in the school-room, if they see fit.

VII. The Board understand that they are not, in ordinary cases, to exercise control over the use of the school-rooms on Sundays, that control being left to the Local Conductors of the school; but that if any use be made of them, tending to contention and well-founded complaints between adverse parties, it is competent for the Board to interfere for the purpose of remedying the evil.

The Board beg leave to add, that they do not regard these observations as altering or modifying, in any degree, the original instructions communicated to them in the Chief Secretary's Letter, of October, 1831; they offer them as containing views which they have always entertained of their instructions, and upon which they have uniformly acted since the commencement of their labours.

By desire of the Commissioners,

THOMAS F. KELLY, *Secretary.*

Four Propositions submitted by the General Synod of Ulster to the Government and to the Commissioners.

RESOLVED:—

1stly. That the Ministers and people of this church, *without the necessary concurrence of the ministers or members of any other church,* shall enjoy the right of applying to the Board of Education for aid to schools, by a statement of the constitution and regulations of the schools, accompanied with an engagement to adhere to them; but in this proposition recognising the right of the Board to consider the regulations, and to decide accordingly.

2ndly. That it shall be the right of all parents to require of patrons and managers of schools, to set apart for reading the Holy Scriptures a convenient and sufficient portion of the stated school hours, and to direct the master, or some other whom the parents may appoint and provide, to superintend the reading.

3rdly. That all children whose parents and guardians shall so direct, shall daily read the Holy Scriptures during the period appointed, but that no compulsion whatever be employed to induce others to read, or remain during the reading.

4thly. That every use of school-rooms be vested in the Local Patrons or Committees, subject in case of abuse to the cognizance of the Board.

Extract of the Board's Minute thereon, dated August 26, 1833.

The Commissioners having considered the propositions of the Synod of Ulster thus submitted to them, are of opinion that these propositions do not contain anything inconsistent with the principles of the system of Education* committed to their charge; and His

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* The following letter addressed to a minister of the Synod of Ulster, will further explain the previous views of the Commissioners on the substance of these propositions:—

Education Office, July 25, 1833.

SIR,

I had the honor of submitting to the Commissioners of Education, your letter of the 16th instant, in which you desire to know whether aid can

Excellency the Lord Lieutenant having approved thereof, they will receive applications from the patrons of schools in conformity thereto, and grant aid, upon having such queries as they shall deem necessary to put, satisfactorily answered.*

T. F. KELLY, *Secretary.*

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be extended by them towards the Temple Meeting-house school, the business of which you state to be conducted in the following manner, namely, that it opens at ten a'clock and closes at three; that the attention of the pupils, until two each day, is confined to the usual literary education; that the books used by the children are those formerly supplied by the Kildare-place Society; that the last hour is employed in reading and instruction in the Holy Scriptures, by such pupils as are advanced to an Old and New Testament class, if permitted by their parents to join in such an exercise; that those who are not so advanced, or who are not allowed by their parents to read the Word of God, may either pursue the usual routine of business of the school, or retire if they please, and that Saturday is employed in directing the attention of those who have not entered a Scripture class, to what they may have been doing during the week, and in catechising those who have, in their knowledge of the Scriptures. The Commissioners having considered your letter, desire me to state that the regulations of the Temple Meeting school appear to them to agree in principle with those by which they are governed. The rule that the hour from two till three of each day, except Saturday, should be employed in reading and instruction in the Holy Scriptures is quite compatible with the regulations of the Commissioners, provided that such children only as are directed by their parents to attend, be then allowed to continue in the school, and that all others do then retire; and with respect to the exercises on Saturday, it also is compatible with their rules, provided that those children only shall attend upon that day whose parents direct that they shall join in reading or receiving instruction in the Holy Scriptures; so that an opportunity be thus afforded for all others to receive such religious instruction, at that time, as their parents or guardians shall provide for them. As you mention that you occasionally visit the school, to mark the progress and administer such instruction as the circumstance and capacity of the children may require, the Commissioners desire me to observe, that it is of the essence of their rules that religious instruction should be given only at the time specifically appointed for that purpose; and that children whose parents do not direct them to be present at it, should previously retire. The Commissioners having thus explained their views, and anticipating that you will conform to them, direct me to signify their readiness to make a grant towards the support of the Temple Meeting-house school on your returning the paper which I herewith transmit, properly filled and signed.

I have the honor to be, Sir,
Your most obedient servant,
(Signed) THOMAS F. KELLY, *Secretary.*

* In the Appendix to Second Report, will be found the regulations and directions to be attended to in making application to the Board of Commissioners for aid, which have been drawn up by them, in conformity with the principles laid down in the foregoing documents, which regulations and directions were laid before Government, and approved, previously to their being issued.

Art. VI.—THE CENSUS, PART III. *v.* THE DUBLIN HOSPITALS.

1. *The Census of Ireland for the Year* 1851. *Part III. Report on the Status of Disease.* Presented to Both Houses of Parliament, by Command of Her Majesty. Dublin: Alexander Thom. 1854.

2. *Report from the Select Committee on Dublin Hospitals; Together with the Proceedings of the Committee.* Ordered, by the House of Commons, to be Printed, 29th June, 1854.

3. *The Irish Quarterly Review.* Vol. IV. No. 15, Art. The Dublin Hospitals, and the Blunders of the Census.

In the last number of The Irish Quarterly Review, we printed a paper commenting upon the *Report* of the Select Committee of the House of Commons, on the Hospitals of Dublin, and in the progress of the paper corrected and exposed some very serious and mischievous blunders, appearing in that portion of the Irish *Census* of 1851, entitled, *Report on the Status of Disease.*

It would seem that in adopting this course we have caused some parties connected, directly or indirectly, with three Dublin Newspapers—*The Evening Packet, The Daily Express,* and *The General Advertiser,* to indulge in expressions of violent abuse, proving their complete qualification for a seat at the Board of Guardians of the North Dublin Union, and given to the readers in a form of literary composition worthy of one of that class of literary mercenary hacks described by Macaulay, as "venal and licentious scribblers with just sufficient talent to clothe the thoughts of a pander in the style of a bellman." Because we wrote, as all writers in Reviews, without our name appended to our contribution, we were called anonymous scribblers; because we exposed the absurd figures relating to Hospital accommodation in Dublin, we were called slanderers; because, from the evidence of the *Report* of the Committee, we gave just merit to Doctor Corrigan, we were called his "fulsome beslaverer," his "thoroughly unscrupulous panegyrist;" and *The General Advertiser,* after inserting its version, either ori-

ginal or supplied to it, exceeds them all by advising its contemporaries to "denounce" us.*

We should not refer to these journals at all, but that their abuse, and threats, and general tone of Donnybrook heroics seem all formed upon some preconcerted plan, following each other in rapid succession, and endeavouring to impress upon the readers that we had written for the purpose of injuring Surgeon Wilde—the gentleman under whose inspection, or direction, the portion of the *Census* under notice was compiled. We know nothing of Mr. Wilde, we have passed no opinion upon him; he may be a Crampton or a *Dulcamara* for any thing we know or care; nay more, we give him credit for being all his most earnest friends can claim for him, but if he, in addition to the newspapers named above, were to tell us that the figures of the *Census*, which we are about to correct, need no corrections, we should still expose the errors, well knowing that the more impudent and offensive the iteration of correctness the more likely that the error was, to their knowledge, serious.

Neither for fear or favor shall we ever, in these pages, permit errors injurious to the people to pass unnoticed and unexposed. We detest the cliquish system which exists amongst the poor coteries of those who, in Dublin, call themselves literary men; two-penny-half-penny clubs where booksellers, and newspaper editors, and paper dealers all bepraise each other,† and produce such wretched representatives of literature, with minds so warped from justice and truth, and indeed from common sense, as his who wrote, in *The General Advertiser*, that even if our proofs of blunders in the *Census* were complete, he questioned "THE JUDICIOUSNESS, THE JUSTICE OF PARADING THE ERRORS OF A GRAVE PUBLIC DOCUMENT IN THIS MANNER." Why its gravity, coupled with its errors, are the very points which forced, and which force us to the exposure. Are we to permit these ridiculous, shamefully incorrect returns of Hospital accommodation in Dublin to stand as recorded facts, silencing, when quoted, the advocate of the Hospital Grants? Are we, because these three writers, or whoever supplied them with information, demand it, to permit

* An excess of zeal on the part of this Scotch pet of the Incumbered Estates Court, reminding us of Vousden's Scotchman, who, after drinking the Whiskey, tries to "swally the jug."

† For an account of Dublin Literary cliques, see IRISH QUARTERLY REVIEW, Vol. IV. No. 14. Art. "Literature and Poetry in Ireland."

the poor of Dublin to be deprived of Hospital aid through blunders in a "grave public document;" are we to do this because some friend of these parties may be accountable? We think that Surgeon Wilde, a resident Dublin Physician, is accountable for the figures as they stand, and he is accountable for not having explained their errors to the Committee, because every error which we shall now detect; every blunder in all its absurdity and in all its mischievous, disastrous effect, was, as we have heard, on good authority, fully explained to him, in writing and verbally, before his examination by the Committee. He was examined, he explained nothing, corrected none of the false figures,—he, as was said, "mystified the members." The Hospital Grants might be imperilled by his silence, but he was silent because he would not expose the blunders of the *Census* for which he was accountable; he left the room, and the case then stood, *The Status of Disease v. The Dublin Hospitals.* Perish the Hospitals, but live the *Census*; he may have thought thus, and may have held the opinion, in common with his partizan, or with whoever incited that partizan, and may have questioned "the *judiciousness*, the justice of parading the errors of a grave public document in this manner." We, however, do not hold these opinions; we shall not be turned from our course by slanderous imputations, or by vulgar abuse: as for protestations of correctness made by those interested in the assumed accuracy of the *Census*, with us they weigh nothing; we remember that the prince of impostors, Mahomet, commences that tissue of lies, blunders, and errors—*The Koran*, with the protestation—"There is no falsehood in this Book."

Our objection to the returns of the *Census*, so far as Dublin is concerned, are two-fold—first, that available Hospital accommodation is most absurdly overstated; second, that the figures of the sick in Dublin are most blunderingly understated. To these, and to these two points only shall we direct attention, as in a former paper the history of the foundation and progress of the Hospitals was sketched at sufficient length.* We turn to this subject of Hospital accommodation now, as the question of Grants or their withdrawal will be before Parliament in the approaching session, and although the Select Committee of the House of Commons recommended a continu-

* See Vol. IV. No. 15, p. 635.

ance of the annual Grants, to the amount £16,000, exclusive of such sum as may be voted to the Hospital for Incurables, yet whilst these blunders of the *Census* remain on record, backed by the friends of those responsible, whether at the instigation or contrary to the desire of these parties—it befits every man in our position to place accurate information before those who may be driven, in the House of Commons, to defend the *Report* of the Committee from the arguments which may be urged against it, as furnished by the *Status of Disease*. True, the Select Committee reported that "The City of Dublin is in a position peculiar to itself, as compared with other towns of the empire. It is a metropolis for the poor but not for the rich. The value of its property has, within the last 14 years, decreased, while local taxation, population, and pauperism have increased. It has been shown that the ability of Dublin to support charitable institutions is less than it was when the Commissioners reported in 1842. Almost every witness has stated, that it would be impossible to raise a sufficient sum to preserve the Hospitals in an efficient state, either by voluntary subscription or local taxation; a withdrawal of the grant would, therefore, have the effect of entirely closing some, and of impairing materially the efficiency of all these valuable institutions;" but, although the Committee reported thus, their recommendation would be useless if, because it is a grave public document, we refrained from correcting the blunders of the *Census*, thus exposing the supporters of the Grants to the certainty of being silenced by any opposing member who might argue,—"How can the Committee recommend the continuance of these Grants, when, by the figures of the *Census*, a grave public document, prepared under the direction of a Dublin Surgeon, and who was examined by the Committee, I find that Dublin has available Hospital accommodation to the extent of 1,616 beds; whilst only 1,053 were sick in Hospital, and only 576 sick in their own homes on the 30th of March, 1851?" If any member please he is quite warranted by the *Census* in arguing thus. And what answer can be given to these arguments, how can the recommendations embodied by the Committee in their *Report* be supported?—Simply by declaring, and proving, that the returns of Hospital accommodation,—as given in the portion on the *Status of Disease*, are false; false too, though prepared under the direction of one who

has been, according to his own evidence, educated entirely in Dublin; was a resident pupil of Steevens' Hospital—and yet gave an inaccurate report even in respect of this institution; who is a Surgeon resident in Dublin; who is a resident of Dublin for twenty years; who is a Fellow of the Royal College of Surgeons; who has written of some of the Great Continental Hospitals; who was a *Census* Commissioner for Ireland in 1841, and who thinks he has a general knowledge of the Medical Institutions in Ireland; this is Surgeon Wilde's own account of himself, as given at pages 173, and 174 of the *Report* of the Committee, and we are forced to write this paper in continuation of our last, because, backed by all the authority which this roll of qualifications can give, his friends have attempted to contradict our statements impugning the accuracy of the *Census, Part III.*

It must be distinctly borne in mind that all our exposures of these blunders are founded upon, and the necessity for them arises from, the statements contained in the following passage, at page 100, of that *Part III.* of the *Census* now before us:—

In calculating the amount of Hospital accommodation to the population, the proportions have been made upon the number of beds actually *available, and supported* by the funds of the institution, upon the night of the 30th of March, 1851, and not upon the extent or area of the different buildings, which, in many instances, were capable of affording accommodation to a much greater number of persons than their incomes could at the moment support.

With this passage in mind, we beg the reader's attention to the following table, from the *Report on the Status of Disease*, and corrected from the *Minutes of Evidence taken Before the Select Committee on Dublin Hospitals*, and from our own inquiries: —

Name, Definition, and Locality of Hospital.	According to Census.	Corrected by Minutes.	Accommodation which could be rendered availble	Observations.
Royal Hospital Infirmary, Kilmainham -	42	None for the Public	—	For Soldiers only.
Charitable Infirmary, Jervis-st. - - -	80	50		
Steevens' Hospital - - - - - -	200	120	250	80 beds of the 200 being set aside for Constabulary.
Mercer's Hospital - - - - - -	70	60	80	
St. Mark's Ophthalmic Hospital - - -	20	16	20	
Westmoreland Lock Hospital - - -	101	80	250	
Meath Hospital and County Dublin Infirmary	100	—	115	
Hardwicke Fever Hospital - - - -	120	—	144	
Fever Hospital and House of Recovery, Cork-street - - - - - - -	120	—	426	
Richmond Surgical Hospital - - - -	110	—	120	
Sir Patrick Dun's Hospital - - - -	120	60	100	
Whitworth Chronic Hospital, North Brunswick-street - - - - - -	82	—	82	
Maison de Santè, George's-place - - -	20	—	—	A private Institution.
Whitworth Fever Hospital, Drumcondra -	36	Closed in 1848	—	Census states no return could be obtained.
City of Dublin Hospital - - - -	100	60	100	
Coombe Lying-in Hospital - - - -	40	21	31	
Anglesea Lying-in Hospital, Peter street -	15	Closed		
St. Vincent's Hospital - - - - -	100	—	—	Many not Catholics, object to entering even if recommended by a subscriber.
Rotunda Lying-in Hospital - - - -	140	103	127	

This table gives a total of 1,616 in the figures of the *Census*, and if from this the deductions marked be taken, it gives a correct total of 1,102, and leaves a difference of 514 between the calculations. From this same table it will appear that in this "grave public document," prepared under the direction of a Fellow of the Royal College of Surgeons, resident these 20 years in Dublin, and believing that he has a general knowledge of the Medical Institutions in Ireland, no less than 13 ridiculously patent blunders appear; appear too in a table referring to Institutions under Surgeon Wilde's own cognizance, one error indeed occurring in the return for his own Ophthalmic Hospital.*

Amongst the most remarkable of the blunders in the above inserted table is that which introduces into the list of Hospital accommodation, open to the poor of Dublin, the Royal Hospital and Infirmary, at Kilmainham, an institution reserved solely for the reception and use of the military, and into which a sick civilian never enters; and this swelled the return of Hospital accommodation by 42 beds; and the blunder appeared in a "grave public document" prepared under the direction of a resident Dublin surgeon, who "thinks he has a general knowledge of the Medical Institutions in Ireland."

The second blunder consists in inserting amongst the Hospitals, affording accommodation to the poor of Dublin, the *Maison de Santé*, George's-Place. This is an Institution intended for the relief of those who cannot afford to *pay* the ordinary rent of lodgings, during sickness, or the various expenses of doctors, nurses, medicine, and other incidental charges. To call this establishment an Hospital open to the poor of Dublin is an absurdity; it is meant for those who can *pay* for accommodation, and Morrison's, or the Bilton Hotel might, with fully as much reason, be inserted in the lists of Hospitals, because sick wealthy people occasionally reside in those, under the attendance of Dublin physicians. Anybody who pleases to consult *Thom's Directory*, for the year 1854, will find, at page 797, the followlng accurate description of this establishment:—"This Institution is conducted after the plan of the *Maison de Santé* at Paris. Its object is to afford an asylum to respectable persons, who, when ill, are unable to

* See "Minutes of Evidence," Appendix, No. 15, p. 350.

command the services of the physician or surgeon. *Here they can have comfortable accommodation and professional attendance for a fixed weekly payment, in advance.*"

This blunder gives a false return of accommodation amounting to 20 beds, and despite even the evidence of the advertisement of the Institution, the blunder occurs in a return prepared under the direction of a resident Dublin surgeon, who thinks he has "a general knowledge of the Medical Institutions in Ireland."

The next most astonishing blunder, is that which gives the Whitworth Fever Hospital, Drumcondra, as containing accommodation for the sick poor of Dublin, to the amount of 36 beds; but what is the fact?—that since the year 1848, this Hospital has been closed as a charitable Institution, and is used as an Hospital, by Surgeon Elliot, for the treatment of patients suffering under bodily deformities, and who *support themselves* whilst under treatment, and during the same period, *pay two shillings* per week towards the expenses of washing, and other such matters. That is, Surgeon Elliot having devoted his attention to bodily deformities, has most humanely resolved to extend his aid to those, who might be too poor to obtain his assistance in the ordinary way, and yet not so poor as to require the common Hospital relief: he found that this Whitworth Fever Hospital, after a very embarrassing attempt at usefulness as a Fever Hospital, was closed in 1848, and he obtained possession of it at a fixed rent; he opened it for country and town patients, who might need his assistance and advice, and he admitted them, and gave them, and still gives them, his assistance and advice—*gratis*, upon condition that they support, that is feed, themselves, and pay, in addition, two shillings each per week towards the funds of the Hospital. In fact this Institution is very much like the *Maison de Santé*, with this difference, that the sum charged per week is less, as the expenses of the patients are generally lower in the former than in the latter establishment. From the manner in which these returns are made, from the introduction of these establishments into the list of Hospitals, affording relief to the poor of Dublin, one would not be surprized to find the Shelburne and Imperial Hotels included in the same table with the North and South Dublin Union Workhouses, as affording relief to the poor of the city; they do relieve those who want food and lodging—but who are able to pay for both,

just as the *Maison de Santé*, and Dr. Elliot's institution at Drumcondra, offer aid to those who require it, *and can pay for it.* We should also add, that in the Appendix to the *Report* of Select Committee, at page 326—this Whitworth Hospital, Drumcondra, is stated to be "a small hospital for cases of deformity; has no funds from any public sources." Yet this is the Hospital, which the *Census, The Daily Express, The Evening Packet,* and *The General Advertiser,* declare to have contained poor patients, on the 30th of March, 1851; this is the blunder, giving an accommodation of 36 beds to the poor of Dublin, and this blunder appears in a "grave public document," prepared under the direction of a resident Dublin surgeon, who thinks he has "a general knowledge of the Medical Institutions in Ireland." These are the three Hospitals included amongst those affording accommodation to the sick poor of Dublin; and by this blunder an excess of accommodation is given, to swell the total of real accommodation, amounting to—

For *The Maison de Santé*	20 beds.
„ The Whitworth Fever Hospital, Drumcondra,	36 beds.
„ The Royal Hospital Infirmary, Kilmainham,	42 beds.
Blundering Total Excess, ...	98

Thus it appears that 98 beds were stated to be open, as available accommodation for the sick poor of Dublin, in establishments not open to them at all, and this blunder, as mischievous as it is absurd and careless, appears in the return made under the direction of a resident Dublin Surgeon, a Fellow of the College of Surgeons, a Census Commissioner of 1841, and 1851, and who believes himself to have "a general knowledge of the Medical Institutions in Ireland."* Blunders occurring too, in "a grave public document" in which, as Surgeon Wilde himself tells the Committee, in reply to Query 2902, a "CORRECT ACCOUNT WAS TAKEN OF EVERY HOSPITAL IN IRELAND, ON THE NIGHT OF THE 30TH OF MARCH."

Thus far we have written in exposing the blunders of returning accommodation in Hospitals not at all open to the

* See "Minutes of Evidence," p. 175. Examination of Dr. William Robert Wilde, Queries 2878 to 2901.

public; we now change to an exposure of those blunders in excessive returns of accommodation in the Institutions really open to the sick poor.

One might expect, from the evidence before us, that few of the Dublin Hospitals would be less likely to escape the attention of a surgeon, resident in Dublin 20 years, and believing himself to "have a general knowledge of the Medical Institutions in Ireland," than the Westmoreland Lock Hospital. Every body seemed to know something about it; all seemed to desire that it should be supported, and that its usefulness should be extended—and we might suppose that, under the circumstances, the returns of accommodation given in the *Census* would be correct. Such is not the fact. The accommodation there given is 101 beds, and when we, in the last number of THE IRISH QUARTERLY REVIEW, excepted to this return, *The Evening Packet*, *The General Advertiser*, and *The Daily Express*, most boisterously abused us, and declared that just 101 beds were occupied on the 30th of March, 1851. But what is the fact, as proved by the admirable evidence of Dr. Byrne, the Senior Surgeon of the Hospital, (Query 326. p. 21, of the *Minutes of Evidence*,) that in 1851 only 80 beds were available; and this blunder, gives an excess of accommodation of 21 beds in an Hospital proved to require, according to Surgeon Tufnell, from 200 to 250 beds; yet this blunder of giving an increase of 21 beds more than the Hospital could support occurs in "a grave public document," prepared under the direction of a resident Dublin Surgeon, who believes that "he has a general knowledge of the Medical Institutions in Ireland;" and who, according to his reply to Query 2992, is of opinion, that the existence of a Lock Hospital in Dublin "is most necessary."

The next most extravagant blunder of the *Report on the Status of Disease* is that which gives the available beds in Sir Patrick Dun's Hospital as 120, when, in reality, it is able to support only 60. It has three professorships endowed with salaries of £100 per annum each; these professorships are, Practice of Medicine, Institutes of Medicine, and Materia Medica, and until the Hospital estate shall be capable of supporting 100 beds, no other professorships can be endowed from the funds—and these professorships are founded partly upon Sir Patrick Dun's will, and partly under the School of Physic

Act. It was, however, necessary in order to render the Hospital perfect as a school, that a Professor of Midwifery and one of Medical Jurisprudence should be appointed, and as Doctor Montgomery now holds the former, and Dr. Brady the latter office *without salary*—we may feel quite satisfied that Sir Patrick Dun's Hospital does not support 120 beds, as stated in the *Census*—it really supports, on its present income, according to the *Report* of the Select Committee (page 355) no more than 60 beds, being 40 under the number entitling the extra professors to salary, and 60 under the number of beds returned by the *Report on the Status of Disease*. There is, we will venture to assert, not a member of the College of Physicians in Dublin, who is not aware that the Professorships we have named are without salary, because the funds left by Sir P. Dun are not adequate to support 100 beds. Dr. Wilde's error is, as regards the Hospital, quite inexcusable.

This is certainly a blunder; it makes an Hospital contain just twice as many beds as it can support, and the blunder occurs in a *Report* prepared under the direction of a gentleman who is a resident Surgeon of Dublin for 20 years, and a Fellow of the College of Surgeons, and who believes that he has a "general knowledge of the Medical Institutions in Ireland."

These are the chief blunders of this *Census*, and notwithstanding the protestations of its accuracy, so abusively and violently urged by the three Newspapers already named, we feel that in exposing the errors of this "grave public document" we have adopted the only means now left by which the mischievous blunders of *The Report on the Status of Disease* can be rendered comparatively harmless. Those Newspaper writers, who are so ready in vituperation, should remember that however much our exposure may offend themselves or their friends, that railing at us will not correct the false returns; and as to declarations of their belief in the returns, the declarations matter nothing—such evidence is like that to which Gibbon referred when he wrote—"Abu Rafe may say *he* will be witness for this fact, but who will be witness for Abu Rafe."

What, however, are the broad, plain facts of this case of *The Census, Part* III. *v. The Dublin Hospitals*, regarding the blundering returns of excess of accommodation? The following table will show the case as it really stands, and as we have proved it:—

Hospitals.	According to Census.	Corrected by Minutes.	Excess of accommodation as given by Census.
Royal Hospital Infirmary . .	42	none	42
Charitable Infirmary, Jervis-street	80	50	30
Steevens'	200	120	80
Mercer's	70	60	10
St. Mark's Ophthalmic . .	20	16	4
Lock Hospital	101	80	21
Meath	100	100	—
Hardwicke Fever . . .	120	120	—
Cork-street Fever . . .	120	120	—
Richmond Surgical . . .	110	110	—
Sir Patrick Dun's . . .	120	60	60
Whitworth Chronic . . .	82	82	—
Maison de Santé	20	none	20
Whitworth, Drumcondra . .	36	none	36
City of Dublin	100	60	40
Coombe Lying-in . . .	40	21	19
Anglesea Lying-in . . .	15	none	15
St. Vincent's	100	—	100
Rotunda Lying-in . . .	140	103	37
Total . . .	1,616	1,102	514

In weighing the full force of these blunders the reader should remember that they appear in a very "grave public document;" that they are recorded as facts in a report upon the accuracy of which the very existence of the Dublin Hospitals in great part depends; that all the respect due to the statements of a "grave public document" is in this instance increased by the circumstance, that the Assistant Commissioner under whose direction it was prepared is, upon his own evidence, a resident Surgeon of Dublin for 20 years, a Fellow of the College of Surgeons; he was a Commissioner of the Census of 1841, and believes himself to possess a "general knowledge of the Medical Institutions in Ireland." We have repeatedly dwelt upon these self-stated qualifications of Surgeon Wilde, because upon them the advocates of the *Report on the Status of Disease* have rested a great portion of their attack on our former paper. We do not deny that Surgeon Wild may possess all the qualifications to which, in his evidence, he lays so decided a claim—but we deny emphatically the correctness of the returns regarding Dublin Hospital accommodation. We are bound, as public writers, to take this course, or forfeit that claim to be the advocates of

all good measures for Ireland which we endeavour to secure. The Hospitals must fall, or the returns in the *Report on the Status of Disease* must be exposed in all their open, shameful blundering. We are the more imperatively called upon to make this exposure, because, in addition to the force given to the returns by the stated qualifications of the Assistant Commissioner, the blunders appear in a table to which the following passage is appended :—

"In calculating the amount of hospital accommodation to the population, the proportions have been made upon the number of beds actually *available and supported* by the funds of the institution, upon the night of the 30th of March, 1851, and not upon the extent or area of the different buildings, which, in many instances, were capable of affording accommodation to a much greater number of persons than their incomes could at the moment support."

This passage we have already quoted, it cannot be too clearly remembered, because it is the passage which has forced us to "parade the errors of a grave public document"—a document, too, in which the Assistant Commissioner told the Committee, a "correct account was taken of every Hospital in Ireland on the night of the 30th of March;" and yet, with all our knowledge of these blunders, with all our knowledge of their disastrous effect, if uncontroverted and unexposed, upon the future prosperity of the Hospitals, three malignant slanders have been written against us, because we exposed the blunders, regardless of the parties accountable. If the Government think it right to appoint careless or incapable persons to fill offices requiring close attention, and an almost complete devotion of time, coupled with knowledge and rare power of combining and condensing facts, doubtless it can do so; but so long as a single error or blunder injurious to any meritorious institution of this country shall stand on record, in the reports or returns of the parties so appointed, be the appointment what it may, so long will we make known the blunders and errors to our readers. Had Surgeon Wilde taken advantage of the explanations given to him, as we have heard, before his examination; had he, as he could have done, pointed out to the Committee the blunders in the returns of Hospital accommodation, given in the *Report on the Status of Disease;* had he said the Royal Hospital Infirmary is not an Hospital for the poor of Dublin, it is entirely for the military—and therefore the return must be reduced by 42 beds; had he said Jervis-

Street Hospital is stated to support 80 beds, it supports only 50, therefore the return must be reduced by 30 beds; had he said Steeven's Hospital is returned as supporting 200 beds—but of these only 120 are open to the poor, therefore the return must be reduced by 80 beds; had he said Mercer's Hospital is returned at 70 beds, it supports only 60, therefore the return must be reduced by 10 beds; had he said my own Hospital, St. Mark's Ophthalmic, is returned as supporting 20 beds, it only supported 16, therefore the return must be reduced by 4 beds; had he said the Lock Hospital is returned as supporting 101 beds, it only supported 80, therefore the return must be reduced by 21 beds; had he said Sir Patrick Dun's Hospital is returned as supporting 120 beds, but it only supports 60, therefore the return must be reduced by 60 beds; had he said the *Maison de Santé* is stated to support 20 beds, but it is not an Hospital for the poor of Dublin, therefore the return must be reduced by 20 beds; had he said the Whitworth Fever Hospital, Drumcondra, is stated to support 36 beds, but it is not an Hospital for the poor of Dublin, therefore the return must be reduced by 36 beds; had he said the City of Dublin Hospital is stated to support 100 beds, it only supports 60, therefore the return must be reduced by 40 beds; had he said the Coombe Lying-in Hospital is returned as supporting 40 beds, it only supports 21, therefore the return must be reduced by 19 beds; had he said the Rotunda Lying-in Hospital is stated to support 140 beds, it only supports 103, therefore the return must be reduced by 37 beds—and all the reductions show an error in the returns of the *Report on the Status of Disease*, by which Hospital accommodation in Dublin is recorded to be 514 beds more than are really supported—had Surgeon Wilde thus corrected the blunders of the *Census* we should have had less cause of complaint. The Assistant Commissioner could have made all these corrections in his evidence—all these blunders had, we believe, been clearly, verbally and in writing, explained to him, previous to his examination, yet whilst he claimed all the respect due to a resident Dublin Surgeon, to a resident of 20 years, to a Fellow of the College of Surgeons, to a Census Commissioner of 1841, to a medical writer who thinks he has "a general knowledge of the Medical Institutions in Ireland," the only reference made by him to the errors, the only attempt made to explain them, is contained in the following passage of his evidence:—

"2928. How many hospitals are there at present open in Dublin; will you state their names to the Committee?—Jervis-street Hospital, Steevens' Hospital, Mercer's Hospital, the Dublin Lying-in Hospital, St. Mark's Hospital, the Westmoreland Lock Hospital, the Hardwicke Fever Hospital, the House of Recovery, Cork-street, the Richmond Surgical Hospital, Sir Patrick Dunn's Hospital, the Whitworth Chronic Hospital; the Maison de Santé is mentioned among the hospitals, but it is a private one, it receives no grant whatever; the Whitworth Fever Hospital, Drumcondra, is now closed, it existed in 1851; the Coombe Lying-in-Hospital; the Anglesea Lying-in-Hospital, which I believe at present does not receive patients; the City of Dublin Hospital, and St. Vincent's Hospital.

2943. Which are the new hospitals?—The Hardwicke Fever Hospital, the Cork-street Fever Hospital, the Richmond Surgical Hospital, Sir Patrick Dunn's Hospital, the Whitworth Chronic Hospital, the Maison de Santé, which is a private hospital; the Whitworth Fever Hospital, at Drumcondra, which no longer exists; the Coome Lying-in-Hospital, the Anglesea Lying-in-Hospital, the City of Dublin Hospital, and St. Vincent's Hospital. It is necessary to explain, perhaps, that some of those hospitals were established by the Government, others by the private means and private energies of individuals."

There is not one word in this evidence explaining those errors. It states "the *Maison de Santé* is a private hospital," it was always one—it should never have been returned amongst the Hospitals of Dublin. The evidence states that the Anglesea Hospital does not, the witness believes, *now*, May 16, 1854, receive patients—but it is entered in the Census as having 15 patients on the 30th of March, 1851, and what is the fact, as proved by the returns, that it had five patients in 1854, and that no return of income was made in 1851, and that it is a private institution. There is no reference whatever to the blunders, in the amount of accommodation, as given for the Dublin public Hospitals, in the *Report on the Status of Disease*—No such correction as we have shown the Assistant Commissioner was bound to give. He refers to the fact, that the Whitworth Hospital, Drumcondra, no longer exists—but it exists just as completely as when, in March, 1851, it was returned as having 36 patients; a reference is also made to the *Maison de Santé*, as being a private institution, but all the other blunders—the 60 beds of Dun's, the 30 of Jervis-st, the 80 of Steevens', the 10 of Mercer's, the 4 of Mark's, the 21 of the Lock, the 40 of the City of Dublin, the 19 of the Coombe, the 37 of the Rotunda, are silently passed over, and we are treated to such information as can be gathered from the following passage:—

2929. Have you prepared any statement to show the amount of hospital relief now given in Dublin in proportion to the general population?—The hospitals have altered in their amount of accommodation consequent upon the still greater depression of their funds even since this Census return upon the 'Status of Disease' was given in; and moreover, you cannot infer from the number of patients in an hospital any one night, the amount of accommodation afforded by that hospital, because certain wards are closed for useful purposes; they are seldom quite full. I think the hospital accommodation of Dublin at present is about 1,200 beds, including the Lying-in Hospital, and excluding the Royal Hospital of Kilmainham, which would be about one bed to every 200 of the population, which is insufficient."

The question now before us is not what the accommodation *at present* may be, but did we slander Surgeon Wilde when exposing the errors of the *Census*—we rely upon his own evidence as our full justification. It is not that he has closed wards "for useful purposes," but that he has set up beds, which, to the amount of 514, had no place in hospitals for the poor of Dublin, on the 30th of March, 1851. Why did not Surgeon Wilde correct, even the blunders to which he refers, when issuing the *Report on the Status of Disease*. If the returns were prepared in 1851, surely a resident Dublin surgeon, and who thinks he has "a general knowledge of the Medical Institutions in Ireland," should have been able to detect a blunder which would place private, or closed, institutions amongst the Hospitals affording relief to the poor of Dublin. If these returns were made on the 30th of March, 1851, Surgeon Wilde had from that period, until the 30th of March, 1854, the day on which the *Report on the Status of Disease* bears date, to detect these blunders; let the reader remember too that this *Report* is stated, by Surgeon Wilde himself, to be correct—"a correct account was taken of every hospital in Ireland, on the night of the 30th of March;" let it be remembered that the *Report* states, "In calculating the amount of Hospital accommodation to the population, the proportions have been made upon the number of beds *actually available, and supported* by the funds of the institution, upon the night of the 30th of March, 1851, and not upon the extent or area of the different buildings, which, in many instances, were capable of affording accommodation to a greater number of persons than their incomes could at the moment support." Yet Surgeon Wilde's own Ophthalmic Hospital is returned as supporting 20 beds, and from the 30th of March, 1851 to the 30 of March, 1854, and even to the 16th of May, 1854, he

never discovered, with all his "general knowledge of the Medical Institutions in Ireland," that this return exceeded the accommodation by 4 beds—and exceeded it on the 16th of May, 1854. What hospital accommodation is *now* we shall presently state, but we beg each reader to remember that this paper is not an attack on Surgeon Wilde, but a defence of our exposure, made in a former paper, of these blunders. These were the errors which we were to pass in silence, because they appeared in a "grave public document;" for exposing them, as being injurious to the friends of the sick poor of Dublin, we were called the enemies of Surgeon Wilde, "desperate writers" who should be "denounced"—and why?—because we ventured to write that the *Census* returns were false in very important particulars.

It will have been observed that in reply to query 2,929, last above quoted, Surgeon Wilde appeared most anxious to place before the Committee the present amount of Hospital accommodation. The present amount was, doubtless, then before them; but in giving a reply to the query Surgeon Wilde afforded no argument to those who might hereafter defend the Hospital Grants, by explaining these blunders of Hospital accommodation in the *Census*, upon which the opponents of the Grants might rely, and quote as undoubted facts from a grave public document. He did not say—the amount of Hospital accommodation given in that *Report on the Status of Disease* exceeded the amount really available in March, 1851, by 514 beds—and it exceeds the present available accommodation by 554 beds, as the accommodation in the Lock Hospital has been reduced from 80 to 40* beds. He did not make this statement, although fully aware of every fact; he omitted all reference to the *Census'* blunders, and said—"I think the Hospital accommodation of Dublin *at present* is about 1,200 beds, including the Lying-in-Hospital, and excluding the Royal Hospital of Kilmainham, which would be about one bed for every 200 of the population, which is insufficient." This answer mystified Mr. Grogan, and he asked—Query 2,930—"By 1,200 beds do you mean the number of beds actually open now under the Grants, or the beds which the Hospitals are capable of having open?" To this plain question Surgeon Wilde gave the following reply:—"Altogether the Hospitals had upon the night of the Census 1,053

* See Minutes of Evidence. p. 21.

patients within them; that number includes Hospitals of every description, and the constabulary department of Steevens's Hospital." Now what was the object of this answer, that is if anybody can understand it—simply this—he was asked a question the correct reply to which would have exposed all the blunders in the returns, and instead of replying as one might expect a resident Dublin Surgeon, who thinks he has "a general knowledge of the medical Institutions in Ireland," Surgeon Wilde tells Mr. Grogan not what he wished to know, but something which gave him no information whatever, for he could not understand it. What is he to understand: he asks; do 1,200 beds represent the number really available and supported? The proper answer to this question would have been, had Surgeon Wilde wished to explain the blunders in the *Report on the Status of Disease*, "it is not correct to say that there are now 1,200 beds available; there are really but 1,062 beds;" but here Mr. Grogan might have said, "Do you mean that since March, 1851, 554 beds have been rendered useless for want of support?"—But then Surgeon Wilde would have been forced to explain that he had been altogether in error in stating this, as from 1851 to 1854 only 40 beds had been rendered useless for want of support, viz. 40 in the Lock Hospital, and that the accommodation for the sick poor in March 1851 was only 1,102, instead of 1,616 as returned in the *Census*, being an excess, in error, of 514 beds; that is, since 1851, 40 beds of the Lock Hospital, have been closed—which gives Dublin but 1,062 available beds for its sick-poor—554 less than stated in the *Census*. This would have been a plain reply, but in place of it, he, to the question, do 1,200 beds represent the *present* available Hospital accommodation open to the sick-poor of Dublin, said that all the Hospitals, including the Constabulary department of Steevens', had within them on the 30th of March, 1851, 1,053 patients! And not content with this specimen of clear-as-mud evidence, in the Appendix No. 5, to the *Minutes*, Surgeon Wilde, still adhering to the mystic numbers of the fancy tables of the *Report on the Status of Disease*, even after they had been fully explained to him, re-calculates Hospital accommodation, excluding only the Royal Hospital, and the Constabulary wards of Steevens.'

We know not whether the Assistant Commissioner considers that he corrected all mistakes, but it is quite evident that the Committee were by no means satisfied that he had "a

general knowledge of the Medical Institutions in Ireland," or that in the *Census* of 1851, a "correct account was taken of every hospital in Ireland, on the night of the 30th of March," and they accordingly, on the next day of sitting, May 18th, called in Doctor Corrigan, who was thus examined by the Chairman, Lord Naas :—

"3288. *Chairman.*] Have you seen the Census of Dublin for 1851?—I have.

3289. Is that return correct as regards the Dublin hospitals?—I think it is not.

3290, Will you state in what respect it is inaccurate?—If you will turn to page 96 and page 100, I will point out the mistake; you will observe, that the returns of the Dublin hospitals are comprised under two principal heads: the amount of accommodation, and the number in each institution on the 30th of March 1851. The heading of the column 'Accommodation' has been interpreted in two ways by the authorities of the hospitals who sent in the answers. At page 100, there is this sentence: 'In calculating the amount of hospital accommodation to the population, the proportions have been made upon the number of beds actually available and supported by the funds of the institution upon the night of the 30th of March 1851, and not upon the extent or area of the different buildings, which in many instances were capable of affording accommodation to a much greater number of persons than their incomes could at the moment support.' The error has arisen from the Commissioners attributing one meaning to the word 'accommodation' and the governors of the institution attributing another meaning to it. It may seem very simple, but I have had practical experience myself of the difficulty of getting such returns without adding another column after 'Accommodation;' namely, 'the number of beds which the funds are capable of supporting;' for the word 'accommodation' is interpreted in the returns either to mean the number of beds which the institution could receive, or the number it could support. For instance, the Charitable Infirmary, Jervis-street, is returned as having accommodation for 80 patients, and with only 32 in it; and when taken in connexion with the statement I have quoted, it would appear as if they had funds for supporting 80. Now I have been a medical officer of that institution, and I am a governor at present, and I know that at no time was it ever capable of supporting 80 patients through the year; it supports about 70 in the winter, and its number in the summer is reduced to about 30, when medical education is not required. Steevens's Hospital is returned as having 200 beds available; but of those, 80, at least, are occupied by the constabulary, who pay the cost of their maintenance in the hospital. Mercer's Hospital is returned as having funds for 70; I believe it has not. The Dublin Lying-in Hospital is returned as having beds available for 140. I called upon Dr. Shekleton a short time ago, and inquired of him as to the amount of accommodation afforded in that hospital, and he told me that those 140 beds include all the beds in the institution, including those occupied by him and his family, by the ma-

tron, and the nurse-tenders, and I believe by the clinical pupils; I know that it has accommodation available for only 100 patients. The Meath Hospital is returned at 100, and here is an instance of the different meaning attached to the word 'accommodation,' for the Meath Hospital has returned correctly the number. The return of the Hardwicke Fever Hospital is correct; the return of the Fever Hospital and House of Recovery, 120, is I believe correct; the return of the Richmond Surgical Hospital, 110, is correct. Sir Patrick Dun's Hospital is returned here as having beds available for 120 patients, its funds are only capable of supporting 50. The Maison de Santé is introduced here in the Dublin Hospital accommodation; that is a private establishment, got up by a medical officer, who receives patients into it who pay so much a week.

3291. *Chairman.*] Is it a charitable institution?—Not in the least; it is a private speculation. The Whitworth Fever Hospital I see returned at 36 beds; it has room for them, but it has been closed altogether for a number of years as a public hospital.

3292. Did you say that the Whitworth Fever Hospital has been closed for a number of years; this return gives the number of eight persons in the institution on the 30th of March 1851?—It has been closed as a public hospital since the year 1848; they were merely care-takers, or persons who supported themselves. The Coombe Lying-in Hospital is returned at 40 beds; its medical officer mentioned to me within the last fortnight that it was only able to support 31. The Anglesea Lying-in Hospital is altogether a private speculation, and no patients whatever are returned from it; it returns accommodation for 15, but it is a purely private speculation. The City of Dublin Hospital is returned as having accommodation for 100 patients. Mr. Tufnell, one of its officers, and a most active man, mentioned to me at the Hospital Grants Committee in Dublin, that the City of Dublin Hospital never was able to support more than about 70 in winter and 30 in summer. St. Vincent's Hospital is a private hospital, and it is sometimes closed; I remember its being closed for two or three months.

3293. Is it a private institution, and attended by the Sisters of Mercy?—Yes; I may observe, that this column is incorrect, from the circumstance that I have mentioned to the Committee, of the double meaning attached to the phrase 'accommodation;' and I am afraid, from what I have heard, that in the returns which have been forwarded to the Poor-law Commissioners in their inquiry within the last five or six months, the governors of the hospitals or the returning bodies have fallen into the same error.

3294. What is, in your opinion, the actual hospital accommodation in Dublin?—I have made a calculation, and I believe I am very little wrong in stating that it is about 920 beds actually available accommodation as at present constituted.

3295. So that, in reality, the hospital accommodation in Dublin ought to be put at 920 beds rather than 1616, as it is put in the Return now before the Committee?—I think so. I will mention another instance: the Royal Infirmary of Kilmainham is introduced into that total; that is exclusively for soldiers.

3296. Lord *A. Hervey.*] How do you arrive at the result of your

calculation that there is accommodation for 920?—Steevens's Hospital has available accommodation for 120, the Meath Hospital for 100, the Cork-street Hospital for 120, Mercer's Hospital for about 60, Baggot-street for about 60, Sir Patrick Dunn's for 50, Jervis-street for about 60, the Richmond, Whitworth, and Hardwicke for 310, and the Westmoreland Lock for 40.

3297. Where do you get those numbers from?—From actual returns received from the hospitals, and from my own personal inquiry.

3298. Is that the number that the funds are capable of supporting?—Yes."

Thus far we have argued the case for the Hospitals against the false returns and arrant blunders of the *Report on the Status of Disease*, and this evidence of Doctor Corrigan, combined with the admissions, we might add the evasions of the Assistant Commissioner, fully support us. When writing our last paper, we had to guide us merely such portions of the evidence as we ourselves had heard, and such other portions as we had read, testing the accuracy of each statement with those facts known to us from personal observation and enquiry. Now the *Minutes of Evidence* are before all who desire to read them, and our charges of blundering in the *Census* returns of Hospital accommodation in Dublin are more than supported, they are completely proved by the witnesses examined.

We knew last August, when inserting the paper entitled *The Dublin Hospitals and the Blunders of the Census*, all that the general reader has now before him; we knew then all the blunders of the *Report on the Status of Disease*, and we were fully acquainted with the fact, so far as reliable assertion could make us, that Surgeon Wilde had been informed of the blunders, and of their effects, if uncontradicted, upon the Hospital Grants; as he did not explain these errors we were forced to do so, and for this we have been violently abused.

Knowing the very great service done to the Hospitals by the evidence of Dr. Corrigan; perceiving that upon many points, such as the proportion of Hospital accommodation to the population in other countries; such too as the amount of support raised in these Kingdoms by private subscription, and various other important matters of this nature on which he alone gave precise information; seeing also that he was the only witness able to correct the blunders of the *Report on the Status of Disease*, and finding moreover that the Committee in their *Report* make not less than fifteen references to his evidence, as guiding them in their recommendations, we did praise his efforts at usefulness, finding that he was the authority for most of the grave points

urged in the *Report*; and we quoted also, a very able pamphlet written by him in the year 1846—because, upon all these fair grounds we expressed a very high opinion of Dr. Corrigan's services to the Hospitals, we have been called his "fulsome beslaverers." We never wrote that other men examined did not deserve as high praise as Dr. Corrigan, but we praised his efforts in a *peculiar line of evidence*, and the *Minutes* prove our complete right to do so; and in our mind, to have denied Dr. Corrigan that approval which we gave would have been as dishonest as is that support given to the *Report on the Status of Disease* by those who call us the *claqueurs* of Dr. Corrigan. We state these things here broadly because there are stupid people who read our pages, and who read newspaper criticisms, and who may fancy that vulgar, partizan, violent abuse, and possibly abuse not altogether disinterested, is but the expression of rough honest truth; when in fact the supporters of the accuracy of the *Census* are but adopting a course of weak evasion, not at all unlike that style of evidence with which the Assistant Commissioner astounded the common-sense of the Committee of the House of Commons.

A question now suggests itself—what is that present accommodation to which Surgeon Wilde referred. Hospital accommodation for the sick poor of Dublin is now available to the following extent:—

Hospitals.	Available Beds.	Beds not in use for want of funds.	Total beds in Hospital.
Steevens'	120 & 80 for constabulary	none	200
Mercer's	60	20	80
Rotunda	103	24	127
St. Mark's	16	4	20
Meath	100	15	115
Cork street	120	306	426
Lock	40	210	250
Sir P. Dun's	60	40	100
Whitworth Chronic	82	none	82
Richmond Surgical	110	10	120
Hardwick Fever	120	24	144
Coombe Lying-in	21	10	31
City of Dublin	60	40	100
Jervis street	50	30	80
TOTALS	1,062*	733	1,875

*If St. Vincent's Hospital be added it will give, *according to the Census*, an additional hundred beds; but deducting the two Lying-in Hospitals, and excluding St. Vincent's, the number of beds will be 938.

For the various questions arising upon this limited accommodation, and for the analysis of the Hospital accommodation afforded to the sick poor of these Kingdoms, and in foreign countries, we must refer the reader to our former paper, in which the subject is fully discussed.

In the paper to which we have just referred we placed the population of Dublin, taking Dublin in its generally received meaning, and not confining it to the municipal boundary, at about 278,000, and the newspaper advocates of the *Census* returns accused us of having added, for "our own purposes," about 20,000 to the inhabitants of Dublin; but what is the population as stated by Surgeon Wilde—293.000 souls—and in this return of the *Report on the Status of Disease*, it is recorded that of this great population, on the 30th of March, 1851, there were sick in their own homes, only 576 persons: comment upon this absurd blunder is rendered unnecessary by the figures of a column in the same table (Table I. p. 110,) which most ridiculously records—that from amongst the entire of these 293,000 souls, of the children under five years of age only 17 males and 14 females, giving a total of 31, were sick in their own homes on the night of the *Census*!

There are other blunders in this "grave public document," but with these we have no concern. We have not written to "parade" its errors; we have written to defend ourselves from the charge of injustice to Surgeon Wilde, or the other persons, if any, concerned in the accuracy of the figures in the *Report on the Status of Disease*. We are quite willing to admit that, in his evidence, Surgeon Wilde is the advocate of the Hospitals, yet he did not explain the blunders of the returns, even whilst commanding attention for these returns by stating himself to be a Surgeon resident in Dublin 20 years, by stating that he was a Fellow of the College of Surgeons, that he had been a Census Commissioner in 1841, that he believed he had a general knowledge of the Medical Institutions in Ireland—that "In calculating the amount of Hospital accommodation to the population, the proportions have been made upon the number of beds actually available, and supported by the funds of the Institutions, upon the night of the 30th of March 1851, and not upon the extent or area of the different buildings, which in many instances, were capable of affording accommodation to a much

greater number of persons than their incomes could at the moment support;" that in the Census of 1851 a "correct account was taken of every Hospital in Ireland on the night of the 30th of March;" even whilst thus, by all these high pretensions, and emphatic statements, giving authority to the opponents of the Hospital Grants—even whilst endeavouring to render the *Report on the Status of Disease* "a grave public document," Surgeon Wilde is silent as to its blunders in the returns of Hospital accommodation, although, as we are informed, well aware that the number of beds there stated, 1616, exceeded the real accommodation for the sick poor of Dublin by 514 beds—or, at the time when he gave his evidence, 16th May, 1854, by 554 beds.

There is one other portion of Surgeon Wilde's evidence to which we feel bound to refer, at this particular time, not only as an additional instance of his carelessness and inaccuracy in dealing with facts but, more especially, as it is important that correct notions should prevail upon the subject of which he spoke. The examination turned upon Epidemics, and, forthwith, Surgeon Wilde volunteered a statement upon Cholera, which is as much at variance with facts as his statements upon Hospitals. In reply to Query 3,069 Surgeon Wilde observed:—

"One of the most healthy places about Dublin is the neighbourhood of Castleknock; it is a rural situation; it is on a hill; it is surrounded by grass and trees; there is no bad sewerage, nor anything that could possibly be said of itself to produce or originate epidemic disease; and in the last outbreak of cholera this curious circumstance occurred; a portion of the household of the Lord Lieutenant, who of course were persons well fed and clothed, and housed, went to the church at Castleknock; they were stricken with cholera; the comptroller of the household died in two or three hours, and the disease ravished* the little village.

3670. *Mr. Percy.*] Is not that an exceptional case?—It is one of the cases which occur; I do not know that it is an exception."

There is indeed no subject in which there should be more scrupulous accuracy evinced than in dealing with facts having reference to the propagation or generation of cholera, and it would be difficult perhaps to find another individual who would have thus so rashly perverted or mis-stated. Surgeon Wilde, in the above quoted passage asserts, that there is no bad sewerage in Castleknock, but he omitted to observe that there

* A typographical error we presume, but thus in the "Minutes."

was no sewerage at all. It would be a puzzle indeed to find a village in Ireland, or any where else, of 200 inhabitants with any sewerage. His most serious mis-statement is however, relative to the household of the Lord Lieutenant, and to the death of the Comptroller of the Household.

Cholera broke out in Castleknock in the month of August, 1849; the following is the account of the outbreak from the Report of the Commissioners of Health, p. 32.

"In the small village of Castleknock, about two miles from Dublin, and about one mile from the Hibernian School, also in a healthy, high, and dry locality, containing about 200 inhabitants, the disease suddenly broke out at 2 o'clock P.M., on Saturday, the 25th of August, 1849, and between that hour and 2 o'clock, A.M. on Monday, 27th, a period of 36 hours, 25 deaths occurred. During the remainder of the 27th no new case appeared; occasional cases appeared up to 19th September, when the disease totally disappeared."

We felt very much surprised by the evidence of Surgeon Wilde; because, if it were true, it would appear to establish a clear and unquestionable argument for contagion, and if the Commissioners of Health had passed by in silence a case so remarkable as that of the late Major Turner, Comptroller of the Household, in the viceroyalty of the Earl of Clarendon, they would have been guilty of a very gross and mischievous suppression; particularly as they refer to the very spot in which the infection is alleged by Surgeon Wilde to have been taken. Thinking thus we have enquired into the facts, and find them to be as follow, and we can vouch for their accuracy, from the relation of persons most fully and perfectly acquainted with all the circumstances. Indeed we may observe that the shock of his short illness and death, the station which he filled, the esteem in which he was held, all combined to leave a painfully vivid recollection of the details of Major Turner's attack upon the minds of many, so that we have had no difficulty in obtaining our information.

On Saturday, the 25th of August, 1849, Major Turner breakfasted, at nine o'clock, with the Council, at the Zoological Gardens. He was then in perfectly good health; and the conversation turning upon the subject of the Cholera, which had appeared in scattered cases that morning about Castleknock, Major Turner observed, that although he had himself no fears on the matter, yet in deference to the feelings of Mrs. Turner, he would not attend Castleknock Church the following day—

Sunday, and accordingly he did not attend that church, but went to the Chapel of the Hibernian School, and there a circumstance occurred which fixed remarkably the fact of Major Turner's having been at Church on that day at the Hibernian School and not at Castleknock. After the service, the late Rev. Samuel O'Sullivan, then the Chaplain, observed to the governor of the Hibernian School, that when in the pulpit, as Major Turner walked up the chapel, he was shocked at his appearance of extreme illness.

Major Turner returned to his house from the chapel, not having gone at all to Castleknock Church; on arriving at home he was prostrated, and he died, universally regretted, at five o'clock the following morning, Monday, the 27th of August. Surgeon Wilde says "a portion of the Household of the Lord Lieutenant went to the Church at Castleknock; they were stricken with Cholera." There is not one word of truth in this; with the exception of the lamented Major Turner, not a single member of the Lord Lieutenant's Household was "stricken with cholera."

Neither Lord Clarendon, nor his household attended Castleknock Church, as Surgeon Wilde has stated; they attended divine worship every Sunday at the Castle Chapel, in Dublin, and especially avoided Castleknock at the period mentioned.

Thus we have shown the entire of Surgeon Wilde's reply to Query 3069 to be as fanciful in its facts, as any of the returns in the *Report on the Status of Disease*. Its glaring recklessness of assertion, and its probable mischievous results on the minds of those ignorant of the real facts, have induced us to refer to it at so considerable a length. We suppose from the above that Surgeon Wilde is a contagionist—with his opinions either way we have no concern, nor shall we decide when Doctors differ, but his statistics and facts appear to be in perfect keeping of fancifulness.

We felt bound to controvert the authority of these blundering returns, which, if permitted to stand on record unexplained, might become the strong arguments of those who support all measures of just and unjust retrenchment of the National expenditure: whether we have "paraded" unnecessarily, or unfairly, the errors of this "grave public document," is now in the judgment of every reader. But, in forming an opinion

of the justice of our exposure of these blunders, let the reader remember that the reputation and feelings of any individual, be he a Census Commissioner, or a Surgeon, or anything else the reader please to fancy, cannot for one moment be permitted to stand in competition, or in equality of interest with the poor of Dublin, or the advancement of Medical and Surgical Science, or the existence of the Dublin Hospitals. We do sincerely hope, notwithstanding the blunders of the *Census*, that the Dublin Hospital Grants shall be continued; we found this hope upon these passages of the *Report* of the Select Committee, which declared that "The City of Dublin is in a position peculiar to itself, as compared with other towns of the empire. It is a metropolis for the poor but not for the rich. The value of its property has, within the last 14 years, decreased, while local taxation, population, and pauperism have increased. It has been shown that the ability of Dublin to support charitable institutions is less than it was when the Commissioners reported in 1842. Almost every witness has stated, that it would be impossible to raise a sufficient sum to preserve the hospitals in an efficient state, either by voluntary subscription, or local taxation; a withdrawal of the grant would, therefore, have the effect of entirely closing some, and of impairing materially the efficiency of all, these valuable institutions.

* * * * * * *

A medical school of the highest repute has been established in Dublin, which is almost entirely dependent on the indirect mode of support by Parliamentary Grants to these hospitals. The system of instruction pursued appears to possess many advantages. Sir Benjamin Brodie has stated in his evidence, that its continuance is, '*as a national object*,' very important. The most eminent physicians and surgeons in Dublin devote a great portion of their time to instruction and hospital attendance. Separate schools are attached to the different hospitals, which has the salutary effect of creating emulation. Museums, founded at great expense, and admirably adapted for their purpose, exist. Except in a very few cases the salaries of the medical officers are not derived from the funds of the institutions. Their emoluments arise from pupils' fees. This system, thus nearly self-supporting, has hitherto been most successful. Ireland has been furnished from Dublin, even in its remote districts, with medical men of sound education.

968 Dispensaries have now to be supplied with properly-qualified attendants: the withdrawal of these Hospital grants would, in the opinion of your Committee, occasion the ruin of this great educational system; and at a time when Parliament has shown so munificent a disposition towards the diffusion of knowledge, and the encouragement of science and art, your Committee hope that it will not hesitate to provide an adequate sum for the developement of that science which is most beneficial to mankind."

QUARTERLY RECORD OF THE PROGRESS OF REFORMATORY AND RAGGED SCHOOLS, AND OF THE IMPROVEMENT OF PRISON DISCIPLINE.

This paper forms the first of a series to be devoted to the recording of such facts, to the analyzation of such statistics, to the reproducing, for general readers, such lectures, speeches judicial charges, or School or Prison Reports as may seem to us so important as to be advantageous to the Reformatory School Movement, or to the cause of the friends of improved Prison Discipline.

We have been induced to adopt this plan of a Quarterly Record from a knowledge of the fact, that many of the most important Reformatory School and Prison Reports are unknown to the majority of even those who take a lively and christian interest in the cause. For example; in this Quarter's Record we introduce a Report from the Kingswood School; and an account of the noble philanthropy of Lady Noel Byron: we are enabled to report the opinions of the Rev. Mr. Field on the Separate System, showing that he is more fully persuaded, now, of its efficacy, than when, seven years ago, he published his admirable work on Prison Discipline, and we analyze the various publications of the quarter bearing on these questions. And turning to our own country, we can proudly state that though last in the active working of the Reformatory School movement, yet now we can record, from the evidence of Mr. Commissioner Senior—from the evidence and reports of Mr. Corry Connellan; from the recent charge of Mr. Thomas O'Hagan to the grand jury of his county; from the expressed and able adherence of *The Daily Express*, of the *Northern Whig*, of the *Tipperary Free Press*, and of the *Midland Counties Gazette*, that Ireland shall not be long without the protection afforded to England and Scotland by the passing of the *Youthful Offenders' Act*.

In the *Thirty First Report of the Inspectors General of Prisons on the General State of the Prisons of Ireland*, 1852, the attention of the Legislature was powerfully and emphatically claimed for the juvenile criminal population of the country. The condition of the various gaols throughout the country was analyzed; their woful inappropriateness for all the requirements of separation, or even division, was pointed out. The

associated system which prevails in but too many gaols, the total want of all selection, the terrible negligence which allows the bold and hardened male criminal, or the fallen woman whom sin and the world's scorn have seared and degraded to brutishness in mind, to associate with the young and comparatively guiltless prisoners, were all clearly and vividly proved. The want of proper educational arrangements, and the imperfect industrial system discoverable in many prisons were reported; and having placed these facts before the country, the Inspectors thus conclude:—

"Under these circumstances of wide spread evil and imperfect means of correction, it is a matter of thankfulness rather than wonder, that the moral status of our youth is not worse, and that not more than a twelfth (on an average) of the annual committals is supplied by juveniles at, and under the age of sixteen years. This number, however, is sufficiently formidable to call for immediate measures of prevention and repression, representing as it does, the springs of crime, which soon expand into a wider and stronger stream of pollution. It has passed into a proverb that 'one thief makes three,' *i.e.*, that the contaminating example, or the seductive persuasion of one offender involves two others in similar guilt, and, if we examine the next classification in age to that above stated, namely the period between 16 and 21 years, we shall find this calculation borne out approximatively; so rapid and certain is the progress of corruption.

Age of Persons Committed.

	1849.	1850.	1851.
Age at and under 16, .	2,720	2,419	2,003
Age at and under 21, .	7,969	6,571	5,781

The above average, namely, a *twelfth* of the committals, is to be understood as applying to the *totals* of the kingdom collectively, but in the metropolis, to which the idle population of all the provinces is naturally attracted by the greater means of livelihood, both honest and dishonest, a *fifth* is furnished by youthful delinquents; and, if we take the category of 'vagrancy'—which is the fertile source of iniquity—we find that even a larger proportion is derived from juveniles under 21 years.

In 1852, the committals for vagrancy to Richmond Bridewell (the city gaol assigned to male prisoners) amounted to 3,481, divisible thus as to their localities and their ages.

From the county and city of Dublin, .	459
From different parts of Ireland, . .	3,022
	3,481
Of these there were under 16 years of age,	1,136
Above 16 and under 21, ...	767
	1,903

the majority being utterly destitute, and living unprotected in night cellars, and in other haunts of depravity.

The annexed analysis of the condition of juveniles committed to the above prison during the month of January in this year, is given here as presenting a melancholy substantiation of the necessity for vigorous interposition.

'Of 338 prisoners committed in the month of January, 1853, 109 are of the age of 17 to 20, and 67 of 16 years and under. Of this latter number 34 are from the city and county of Dublin, and 33 from other parts of Ireland—8 have father only, 16 mother only, and 20 are orphans, 8 have been twice in prison; 6, 3 times; 5, 4 times; 5, 5 times; and 14, 6 times and upwards.

'Of 61 boys in the school class, of 16 years and under, committed for criminal offences, 32 were born in the city or county of Dublin, and 29 in the provinces.—Munster, 10; Leinster, 12; Ulster, 5; and Connaught, 2.—24 have parents: 2, father only, 14, mother only, and 21 are orphans, of whom 16 are destitute—12 are in prison for the first offence, 8 for the second, 7 for the third, 4 for the fourth, 4 for the fifth, and 26 for the sixth and upwards. Included in the number of boys from the provinces, 7 were originally committed for begging, and now are confined for petty thefts.

'In another class formed of juvenile vagrants, committed for periods of 7 and 14 days, there are 38 boys not above 16 years of age; of these, 5 only are from the city or county of Dublin, and 33 are from the provinces—being from Ulster, 5; Connaught, 5; Leinster, 9; and Munster, 14. Such as have both parents, 1; father only, 4; mother only, 10; and orphans, 23. 9 can read, 6 read and write, and 23 are illiterate. 3 are confined for the first time, 4 for the second, 7 for the third, 2 for the fourth, 2 for the fifth, and 20 for the sixth and upwards.'

We further subjoin some interesting tables which throw light upon the circumstances of youthful delinquents, upon the nature and amount of their offences, and of the legal process affecting them, not only in Dublin but in the whole of Ireland.

No. 10.—Table showing the Ages of Juvenile Persons Discharged, Summarily Convicted, and Committed for Trial, for Four Years ended 1852, as reported by the Dublin Metropolitan Police.

Years.	Total of all Ages taken into Custody.	Total Juveniles taken into Custody.	Committed for Trial.					
			Under 10 years of Age.		10 years and under 15.		15 years and under 20.	
			M.	F.	M.	F.	M.	F.
1849.	56,474	14,036	..	1	55	13	362	75
1850, ...	64,244	16,557	..	..	48	10	275	76
1851, ...	63,106	17,730	..	..	58	11	282	71
1852, ...	56,424	15,009	..	..	35	9	289	71
Total, ..	240,248	63,332	..	1	191	43	1,228	293

Years.	Summarily Convicted.						Discharged by Magistrates.						Total.	
	Under 10 years of age.		10 years and under 15.		15 years and under 20.		Under 10 years of age.		10 years and under 15.		15 years & under 20.			
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
1849	371	438	1,745	549	5,232	1,562	92	78	722	162	1,875	682	10,474	3,56[illegible]
1850	640	588	2,356	727	6,345	1,858	157	23	749	199	1,768	738	12,338	4,2[illegible]
1851	743	682	2,891	1,133	6,187	2,181	210	138	734	226	1,502	697	12,592	5,1[illegible]
1852	724	955	1,957	1,302	3,566	2,709	155	102	729	223	1,444	749	8,879	6,13[illegible]
Total,	2,478	2,663	8,949	3,711	21,330	8,310	614	341	2,924	810	6,589	2,867	44,283	19,04[illegible]

No. II.—*Table showing the Ages and Number of Persons Committed.*

Years.	Total No. of Committals of all ages.	Total No. of Committals at and under 21 years.	Aged 16 years and under.	Aged 21 years and above 16.	Rate per Cent. on Committals.	
					Aged 16 & under.	Aged 21 and above 16.
1846 . . .	18,492	3,831	1,007	2,824	5·44	15·27
1847 . . .	31,209	7,662	2,382	5,280	7·63	16·92
1848 . . .	38,522	9,338	2,962	6,376	7·68	16·55
1849 . . .	41,989	10,689	2,720	7,969	6·47	18·98
1850 . . .	31,326	8,990	2,419	6,571	7·72	20·98
1851 . . .	24,684	7,784	2,003	5,781	8·11	23·45
Total, . .	186,222	48,294	13,493	34,801	7·25	18·69

Policy therefore, and economy obviously dictate, if we set aside higher considerations, and the observance of the duties which attach to a state, that the enormous expense annually incurred in dealing with crime, which is thus permitted to reach full maturity, should be abated, and that the youthful energy, which is now wastefully and dangerously employed in the destruction of property, should be directed to self-support, and in the production of national wealth."

With these opinions all who know the position of our criminal juveniles must agree. Indeed no country needs the extension of the *Juvenile Offenders Act* more than Ireland. If this statement be doubted, the fullest proof of its truth is found in the following tables from the *Annual Report of the Inspector of Government Prisons in Ireland for the Year ending* 31*st December*, 1852. We learn that in six of the Convict Prisons of Ireland the total number of prisoners, of ages not exceeding 20 years, was about 1,910, maintained at a cost to the country of £20,000 : 6 : 3. That the facts, in all their bearings, may be fully and plainly before the reader,

we have prepared, from the *Report* of Mr. Hitchins, the Inspector of Government Prisons, the following tables:—

Spike Island Prison.

Total number of Convicts 2,085.
Under 16 years of age, - 139 } 1,278
16 and not more than 25, - 1,139 }
Net cost of each Convict, £10 8*s.* 11*d.*
Total cost of 1,275, under 25 years of age, £13,444. 11*s.* 6*d.*

Newgate Prison.

Total number of Convicts 513.
Ten years of age, and under 16, - 9 } 221
16 and under 20, - - - - - 212 }
Net cost of each Convict, £9. 7*s.* 8*d.*
Total cost of 221 Convicts under 20 years of age, £2,837. 2*s.* 4*d.*

Mountjoy Prison.

Total number of Convicts, 519.
Under 15 years of age, - - - - - 3 } 205
15 and under 20, - - - - - - 202 }
Net cost of each Convict, £12. 5*s.* 8*d.*
Total cost of 205 Convicts under 20 years of age, £2,524. 1*s.* 8*d.*

Smithfield Prison.

Total number of Convicts, 195.
Fourteen years of age and under 16, - - 9 } 78
16 and under 20, - - - - - - - 69 }
Net cost of each Convict, £11. 16*s.* 11*d.*
Total cost of 78 Convicts under 20 years of age, £923. 19*s.* 6*d.*

Ennis Temporary Depot.

Total number of Convicts, 190.
Fourteen years of age and under 16, - - 15 } 70
16 and under 20, - - - - - - - - 55 }
Net cost of each Convict, £8. 12*s.* 0*d.*
Total cost of 70 Convicts under 20 years of age, £563. 10*s.* 0*d.*

Maryborough Prison.

Total number of Convicts, 76
Fourteen years of age and under 16, - - 3
16 and under 20, - - - - - - - - 24 } 27
Net cost of each convict, £10. 19*s.* 8*d.*
Total cost of 27 Convicts under 20 years of age, £296. 11*s.* 2*d.*

The calculations give a total of 1,879 Convicts under 20 years of age (some in Spike Island being rated to 25 years) whose annual cost of maintenance amounts, in the grand total, to £20,589. 15*s.* 2*d.* In considering this it must be remembered that these 1,879 Convicts are more than ordinary prisoners—they are those who have been sentenced to transportation, or to long periods of penal labor. They have been the "City Arabs," "the Home Heathens," the cast-away human weeds, whose existence society has, in the expressive words of Mr. Clay, "ignored." They were vagrants who became pilferers; they were committed, and prison association made them robbers; conviction may have followed conviction in many of the cases, and when, at length, justice grew weary of reprieving, when, from repeated crimes, the offender had grown bold and careless—he was sentenced for a felony—and society vindicated its wrongs by punishing him for those offences into which by *his* ignorance, and *its* own neglect, it had driven him.

The Nation pays now £20,589 for the annual support of these 1,879 convicts—but how much has been paid for former prosecutions, for former prison support, of these youths? How much has the country lost by their peculation? How much morality has been wasted in all these years when Reformation might have, nay, would have, been accomplished —but now they are convicts; indurated in heart, callous in conscience, and thus degraded we are forced to support them in our own defence. We have been careless of the great moral waste around us, and in paying £20,589 per annum for the support of 1,879 young Convicts, we are but proving "the electrical contamination of gaol association;" but proving how heavily we are taxed because we have forgotten that grave thought of Channing which teaches that we "should supply moral wants, snatch every child from perdition, and awaken in him the spirit and power of a man."

To understand fully the necessity for Reformatory Schools in Ireland, the reader need only examine the following tables which we extracted from the most able and valuable section, on Dublin Prisons, appearing in Mr. Corry Connellan's *Report* on the North District of Inspection, and published in the *Thirty-second Report of the Inspectors General on the General State of the Prisons of Ireland*, 1853. The returns refer to the Richmond Bridewell alon e:—

Number of Male Juveniles in Confinement on the 24th of January, 1854, *as to Parentage, Education, Religion, &c.*

Classification.	Criminals.			Vagrants.			Gross Total.
	10 Years and under.	11 Years to 16.	Total.	10 Years and under.	11 Years to 16.	Total.	
Total No. in Custody	1	83	84	4	50	54	138
PARENTAGE:							
Having Parents	...	24	24	3	15	18	42
Without Parents	...	21	21	...	21	21	42
Without Father	1	18	19	1	10	11	30
Without Mother	...	9	9	...	4	4	13
Step-children	...	11	11	...	...	...	11
Abandoned by Parents, ...	...	7	7	...	4	4	11
Absconded from Parents ...	...	18	18	...	7	7	25
BELONGING TO:							
Dublin City or County ...	1	47	48	2	11	13	61
Other localities	...	36	36	2	39	41	77
EDUCATION:							
Wholly illiterate	...	4	4	1	3	4	8
Know Alphabet and Spelling...	...	24	24	3	20	23	47
Read imperfectly	...	16	16	...	11	11	27
Read and Write	1	39	40	...	16	16	56
RELIGION:							
Protestants	...	2	2	...	2	2	4
Roman Catholics	1	81	82	4	48	52	134

Offences of the foregoing Number of Juveniles.

Classification.	Criminals.			Vagrants.			Gross Total.
	10 Years and under.	11 Years to 16.	Total.	10 Years and under.	11 Years to 16.	Total.	
Total No. in Custody	1	83	84	4	50	54	138
Felons untried	...	4	4	...	...	...	4
Misdemeanants untried	...	1	1	...	...	...	1
Felons convicted	...	12	12	...	...	...	12
Misdemeanants convicted ...	1	4	5	...	...	...	5
Summary convictions	...	61	61	...	...	...	61
Workhouse offenders	...	1	1	...	...	...	1
Vagrants	...	...	...	4	50	54	54

How often Imprisoned.

Once	1	19	20	...	4	4	24
Twice	...	17	17	1	7	8	25
Thrice	...	10	10	...	1	1	11
Four times	...	2	2	1	3	4	6
Five times and upwards ...	...	35	85	2	35	37	72

These tables, it will be remarked, are returns of those not more than 16 years of age in confinement on the 24th of January 1854; and the return, as compared with the total number of prisoners of all ages, gives this result—not more than 16 years of age 138, all ages over 16, 351. The total number of persons, not more than 16 years of age, committed from 1st July to 31st December, 1853, was 1,570, and the total number not exceeding 20 years of age sentenced during the year 1853, to transportation, or imprisonment was :—

To Transportation not exceeding 10 years ...	41
To Imprisonment not exceeding 2 years, and not less than 12 months	35
All periods under 12 months	3,563
Total sentenced	3,639

Of these, 725 were orphans; 469 were without father; 158 without mother; 21 were step children; 64 had been abandoned by parents; 87 had absconded from parents; 599 belonged to the county and borough of Dublin; and 1,071 to other localities.

With regard to education; 778 were wholy illiterate; 74 knew the alphabet and spelling; 150 read imperfectly, and 569 could read and write.

In religion; 76 were Protestants; 6 were Presbyterians, and 1,485 were Roman Catholics.

Referring to these figures Mr. Connellan writes:—

"In comparing the number of juveniles (including in that category all below the age of twenty-one years, the legal determination of minority), with the adult offenders committed during the same period, the proportion stands thus:—812 juveniles to 997 adults in the criminal offenders; and 785 to 259 in the vagrants.

Of the former, 464 were from the city and county of Dublin, and 348 from other localities; and of the vagrants, 135 were found to be derived from Dublin, and 623 from other quarters, principally from the more distant parts of the South and West of Ireland.

Of the total number of both, representing 1,570 committals, 418 had parents, 607 had none, 359 had fathers, 165 mothers, and twenty-one were step-children; sixty-four had been abandoned by their parents,, and eighty-seven had absconded from them.

Of the criminal offenders, sixty-eight were twice committed within the half-year, fourteen three times, and three four times; while of the vagrants fifty-seven were committed twice, twenty-eight three times, thirteen four times, and forty-one five times and upwards. In fact, the majority of these boys are habitual inmates of this prison; a condition, however, not to be wondered at, as the most of them have no homes, nor any shelter except the workhouse. Numerous instances are known to exist, and many are at present to be found in this bridewell, of well-conducted and right-principled children who manifest a sincere desire to go into the poorhouse, but are debarred from this relief by their dissolute parents, who prefer a life of license, and are impatient of restraint. Again, many of the utterly destitute, who are *never* committed but for begging, are proved to possess the fortitude of resisting the temptations of crime, and the contamination of those, with whom they are unavoidably intermixed in the prison, and in the haunts of vice to which the wretched resort outside Means are provided by the Board of Superintendence, in such cases, for sending home those, whose locality and claims are ascertained, and some gladly avail themselves of this aid, which, however, is necessarily of limited operation.

All the juvenile criminals and vagrants, up to the age of sixteen years, attend school from ten to half-past one daily, and receive religious instruction for half an hour after dinner. A few of them, however, who are hardened in crime and incorrigible, are excepted,

as they not only reject all moral and religious instruction, but create mischief by their presence, and lead the better disposed into disorder. These youths are confined in single cells, except during the time set apart for exercise, meals, and working; and if any of them have been frequently re-committed, they are kept separately during the first and last week of their sentence, except during the time of exercise only."

The returns from the Grangegorman Female Penitentiary afford evidence equally strong of the necessity for Reformatory Schools; 3,290 females, not exceeding 20 years of age, were committed during the year, as appears by the following table:—

	Ages.		
	10 Years and under.	16 Years and above 10.	20 Years and above 16
Felons convicted	—	26	88
Misdemeanants convicted	3	134	438
Felons committed for trial at Assizes and Sessions	—	52	104
Summary convictions	10	117	125
Vagrants	251	781	1,161
Total	264	1,110	1,916
Twice imprisoned	23	81	137
Three times imprisoned	17	23	47
Four times imprisoned	14	23	30
Five times imprisoned and upwards	6	63	59

Let us now consider the sentences of these 3,290 female prisoners:—

Sentences of Transportation and of Imprisonment of the Total Number of Juveniles Committed during the year.

Ten years, and above seven	—	2	1
Seven years	—	1	3
Two and four years	—	—	2
Twelve months	—	—	4
Six months	—	8	9
Three months	—	14	57
Two months	—	35	89
One month	9	97	261
Fourteen days	190	679	865
Seven days	48	169	308
Forty-eight hours	17	79	226
Twenty-four hours	—	9	25
Unlimited	—	17	36
Total	264	1,110	1,916

Condition of Juveniles as to their Parentage, Residence, Education, and Religion.

[Ages—	10 & under.	16 & above 10.	20 & above 16.
Without parents	9	197	308
Without father	37	109	127
Without mother	3	54	106
Step-children	3	15	9
Illegitimate	—	2	—
Abandoned by parents	3	25	20
Absconded from parents	—	49	228
Belonging to county or borough	38	146	228
,, other localities	33	367	512
Wholly illiterate	67	323	335
Know alphabet and spelling	—	—	—
Read imperfectly	2	147	247
Read and write	2	43	158
Religion—Protestant	2	27	59
,, Presbyterian	—	—	—
,, Roman Catholic	69	486	681

That the reader may understand the position of Dublin with regard to juvenile criminalty, we give the following table, extracted from the returns of the Dublin Metropolitan Police, for the year 1853. The table shows the numbers of those under 15 years of age, and the sexes, committed, summarily convicted, or discharged by the Magistrates of the city for the five years ending 1853.

Years	Committed for Trial.				Summarily Convicted.				Discharged by Magistrates.				Total.		Gross Total Males and Females.
	Under 10 Years of age.		10 Years and under 15		Under 10 Years of age.		10 Years and under 15.		Under 10 Years of Age.		10 Years and under 15.				
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	
1849,	—	1	55	13	371	438	1,745	549	92	78	722	163	2,985	1,242	4,227
1850,	—	—	48	10	640	588	2,356	727	157	23	749	199	3,950	1,547	5,497
1851,	—	—	53	11	743	682	2,891	1,133	210	138	724	225	4,621	2,189	6,810
1852,	—	—	35	9	724	955	1,957	1,302	155	102	729	233	3,600	2,601	6,201
1853,	2	2	56	18	479	466	1,865	746	102	67	646	185	3,151	1,484	4,635
Total	2	3	247	61	2,957	3,129	10,814	4,457	717	408	3,570	1,005	18,307	9,063	27,370

Thus far we have written of Dublin alone, but we now turn to the tables showing the classification of juvenile offenders, not exceeding 16 years of age, as given in the *Report* of the Irish Prison Inspectors for 1853 :—

Offences Classified.	10 years and under.		16 years and above 10.		Total Males.	Total Females.
	M.	F.	M.	F.		
Felons convicted, - - -	9	2	582	181	591	183
Misdemeanants convicted, -	17	12	804	379	821	391
Felons committed for trial at assizes and quarter sessions, -	5	3	491	207	496	210
Misdemeanants committed for trial at assizes and quarter sessions, - - - -	1	1	305	90	306	91
Summary convictions, - -	161	41	2,826	621	2,987	662
Vagrants, - - - - -	757	532	2,700	1,250	3,457	1,782
Workhouse offenders, - -	56	14	866	75	922	89
Offenders on leaving workhouse,	7	—	292	51	299	51
Twice imprisoned, - - -	51	46	622	259	673	305
Three times imprisoned, - -	28	28	294	116	322	144
Four times imprisoned, - -	4	16	175	81	179	97
Five times imprisoned and upwards, - - - - - -	4	10	289	139	293	149
Total, - -	1,000	705	10,246	3,449	11,346	4,254
Gross Total of Males and Females, - - -	—	—	—	—	15,600*	

The next table shows the sentences of the total number of juveniles, whose ages did not exceed sixteen years, committed during the year, and we beg attention to it, and the last table, as the deductions to be drawn from them are of a very important character, in support of the views held by the friends of the Reformatory School movement :—

* See "Report" p. 15.

Sentences.	10 Years and under.		16 Years and above 10.		Total.
	M.	F.	M.	F.	
Death,	—	—	—	—	—
For Life,	—	—	—	—	—
Above Fifteen Years,	—	—	—	—	—
Fifteen Years and above Ten,	—	—	8	—	—
Ten and above Seven,	—	—	28	2	—
Seven years,	—	—	61	7	—
Two Years and upwards.	—	—	14	—	—
Eighteen Months,	—	—	16	1	—
Twelve Months,	—	1	118	8	—
Total,	—	1	245	18	264
Nine Months,	—	—	60	17	—
Six Months,	—	—	237	79	—
Three Months,	10	2	524	171	—
Two Months,	18	2	585	134	—
One Month,	288	149	2,126	480	—
Fourteen Days,	357	294	2,136	1,037	—
Seven Days,	239	125	1,130	396	—
Forty-eight Hours,	46	43	262	165	—
Twenty-four Hours,	16	12	194	54	—
Unlimited	57	28	322	132	—
Other periods,	1	—	35	11	—
Total,	1,032	655	7,611	2,676	11,974
Gross Total,	1,032	656	7,856	2,694	12,238*

This is important evidence proceeding from a government officer, and proves that if the legislature is apathetic, the apathy cannot arise from ignorance of facts, and wants, and of feelings. The following table shows the condition of the juveniles as to parentage:—

—	10 Years and under.		16 Years and above 10.		Total.
	M.	F.	M.	F.	
Without Parents,	89	32	1,455	333	1,909
Abandoned by Parents,	37	14	324	86	461
Absconded from Parents,	5	1	316	103	425
Without Father,	107	67	808	292	1,274
Without Mother,	38	27	576	152	793
Step-children,	33	22	131	64	250
Illegitimate,	15	5	72	21	113
Total,	—	—	—	—	5,125*

* See "Report" p. 16.

Referring to these tables, Mr. Connellan writes:—

"An analysis of these Tables supplies not only the strongest arguments for interference on the part of the State, but traces to their source the origin of most of the evils which beset the children of the humblest classes at the threshold of life.

When, for instance, upon taking the total of juveniles *sentenced* during the year, at 12,238, we find that no less than 5,225 are without due and complete parental care, *nearly two thousand being absolute orphans*, we cannot wonder that the aggregate of delinquency should reach so high an amount, but at the same time, when the nature of the offences is considered, we have reason to hope, that watchful and constant supervision over those, who at so tender an age are *now* exposed to the unchecked promptings of ignorance and want, would largely counteract this great and growing social difficulty; for it appears, that 264 only of those sentenced have incurred the *higher* penalties; while under the terms of imprisonment ranging from seven days to one month, inclusive, 8,757, *being considerably more than three-fourths of the whole*, have been punished in our gaols, unprovided, as they are, with means of coercion, education, and reformation applicable to the peculiar condition of such juveniles."*

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* To the observations thus made by an Irish Prison Inspector, considerable force is added by the following passage, in Mr. Field's Report on Reading Gaol, for 1853:—"Amongst re-committed prisoners, it will be observed, that there were many juvenile offenders; and table No 10 shows that not less than 70 of our old offenders had been convicted before they had completed their sixteenth year, whilst the aggregate number of their imprisonments amounts to 294, or an average of more than four to each. Such statistics are well calculated not merely to excite sorrow and regret, but to increase thankfulness that our endeavours for the amendment of the law, as respects the treatment of this pitiable class, have been successful. Allow me, then, to express an earnest hope that the recent act, properly entitled 'An Act for the Better Care and Reformation of Youthful Offenders,' may receive due consideration at the present sessions, with a view to providing for its speedy operation in this county. From the communications that I have maintained with the Directors of Reformatory Schools at present established, there appears to be no hope that our juvenile convicts can be received into them. I think it right, therefore, to submit to the Court, the propriety of originating an institution, which may meet the requirements of this county, in accordance with the first clause of the recent Act. The tables to which I have referred, further tend very forcibly to confirm the wisdom of the fifth and sixth clauses of that Act, which provide that the cost of the convicted child's maintenance whilst in a Reformatory School, shall be partly recovered from the parents. Of the 70, whose case I have described, not less than 31 were the children of criminals, in several instances both parents having been repeatedly convicted. Others have been the victims of most culpable negligence, very many were encouraged in pilfering, whilst some were driven hungry from their home, plainly taught that they must either steal or starve."

To these sentiments there can be few objectors; but at once the question arises, how can these evils be remedied? and here we can again claim the aid of official evidence in support of our arguments for Reformatory Schools for Ireland. Mr. Connellan was examined, in April, 1853, before the Select Committee of the House of Commons, on Criminal and Destitute Children, and in the course of his examination, thus expressed his opinions upon the entire question of Irish Reformatory Schools:—

"4185. Are there any causes of juvenile crime peculiar to Ireland within the province of legislation which you can point out to the Committee?—I have already stated, as one cause, the extraordinary disproportion of orphanage. There is another point which I think is quite peculiar to Ireland, namely, the extent of vagrancy and larceny, as it prevails among females, who, of course, must be considered as having charge of the education of juveniles infinitely more than males. In the year 1851 there were 5,334 females committed for larceny alone.

4186. Those are women?—All females; there is no division given as to age. There are very few female juveniles committed for larceny. The above aggregate is very nearly equal to the total number of females committed in England in the same year for every species of offence. To show the amount of vagrancy which exists among female juveniles, I have a return of the juvenile prisoners committed to Grange Gorman Prison in the years 1850, 1851 and 1852. In 1852 there were, of the age of 10 years and under, and up to 15, inclusive, 1,878 female children committed under the Vagrant Act. If we take these three years, we find there were altogether 5,989 juvenile females committed to this prison, of whom 1,119 belonged either to the county or city of Dublin, and the remaining 4,870 to the provinces. Of this number three-fourths had been committed from six to 20 times in each year, and the remaining one-fourth from one to six times.

4190. Are you of opinion that any institutions, educational or reformatory, might be established with advantage for the diminution of juvenile delinquency?—Unquestionaby. It is a subject which requires such a very comprehensive consideration, that we must begin from the beginning. In the first place, the gaols of Ireland are peculiarly circumstanced, and have not the same advantages that English gaols possess with regard to their financial position. In England every prisoner convicted by a jury is paid for by the State, out of the Consolidated Fund; in Ireland only male transports are so paid for; an allowance being made for them, but not for females. This matter, I believe, will be brought before the House very shortly; and I think it is necessary to take that into consideration when we come to adopt any scheme for fixing a further expenditure upon the country; I mean that if the localities are to be called upon to erect penal or reformatory institutions, that ought to be taken into account.

4191. What is the nature of the institution you would recommend ?—I should certainly recommend an institution embracing under the same direction, although separate, a Parkhurst and a Red Hill. I think that you require absolutely a penal institution, in which the punitive principle shall be carried out; and you also require a reformatory institution with something of a penal character. The great object is, to avoid multiplying establishments and to save expence. I think that if there were two such institutions placed side by side, they would each favourably affect the other; and that the youths confined in the Parkhurst, or more penal side, would feel that there was close at hand an institution in which there would be some relaxation of penal discipline, if they deserved it by good conduct. On the other hand, I think it would be a great check upon the occupants of the reformatory department, if they knew that in the event of their being refractory, they could be removed to the penal institution.

4192. Would you have two institutions of this kind in Dublin, and others in different parts af the provinces ?—I think it would be well to look at the averages of gaols, and to form groups. I am of opinion that four institutions would be quite sufficient for Ireland; but I should be glad to see one erected in the first instance, in order to test the effect of it. I have mentioned in the evidence I have given, that there were local congestions of juvenile criminals; in fact, considerably more than one-half the total of the juveniles confined in the gaols of Ireland, are in the prisons of Dublin, Cork, and Limerick.

4193. Do you think that might be advantageously tried in the first instance as an experiment ?—Yes. I should like not to get too far in the first instance, because it is an experiment which may affect not only our ordinary prisons, but our convict depôts or the district prisons, which may hereafter be adopted as substitutes for transportation. I have made a calculation for an institution to contain 400 boys. I take the number at 400, because it appears to be the most convenient number; as a mean between Red Hill and Mettray, both of which I have visited. I have taken as a fair basis two of the county gaols of Ireland, in which I find that the daily average of prisoners was about this number during the year 1851. In the county of Galway gaol the daily average, in the year 1851, was 404, and in the gaol of Nenagh, in the North Riding of Tipperary, there were exactly 400. It is very remarkable that the total cost of each prisoner (we have no power of distinguishing the cost of juveniles as they never keep the account in gaols, although it might be done in future) is £6. 14*s.* 10*d.* per head in Galway, and £6 14*s.* 4*d.* per head in Nenagh. The expense of the staff of officers in Galway is £1,130, and in Nenagh £955. The difference is created by the higher salaries of the governor and local inspector in Galway. It must be recollected that this includes everything, except the interest of money which the gaol cost in building. I presume that growing boys employed in agricultural labour and worked hard would require a more generous diet than our prison diet, which is brought as low as is compatible with health. I think also you would require, if the

reformatory establishment were carried out on the prnciple of Mettray, a larger staff than exists at the two gaols I have named; I would therefore give £8 for each of the 400 boys, which would amount to £3,200. I next give the cost of the building; and here I am sure that I have made a most extravagant estimate, for building is very cheap in Ireland. I have put it at £10,000, but I really feel great certainty when I state that the sum of £6,000 would be sufficient for the building, which necessarily would be very plain and simple. We will take it at £10,000, and the interest of that amount, at four per cent., would be £400.

4194. Mr. *Adderley.*] Including the purchase of the site?—I take a rent for the land; I take 200 acres, at £1 per acre, £200.

4195. Mr. *J. Ball.*] Do you include the rent in the average of £8 per head?—No.

4196. Mr. *Fitzroy.*] You include nothing but diet in the £8?—I include everything in the £8 per annum, which represents the 400th part of the total expenditure. I will give £200 for contingencies, so as to make a round sum of £4,000. If we take the labour of 400 boys, for 50 weeks, striking off two weeks for interruption of weather and illness, I put the worth of their labour at 6*d.* per day, or 3*s.* per week. I apprehend that, in the first instance, it would not be worth that amount; but that after the institution had been a year in operation, we might safely calculate upon that amount. At Mettray, they profess to give £8 per annum as representing the earnings of the boys. These, by my calculation, would amount to £7. 10*s.*; so that there would be a balance of £1,000 as against the institution chargeable upon the State. I conceive that the estimate for the building is at least £4,000 too high, and that £140 (at four per cent.) might consequently be deducted from the £1,000.

4197. Mr. *J. Ball.*] The recommendation which you made to the Committee was, that in the first instance twin institutions, one more severe, and the other of a milder nature, should be established?—Yes.

4198, Does your estimate refer to one of those, or do you propose that two similar institutions should be established?—I merely wish it to apply to the reformatory institution, to the Red Hill or Mettray section.

4199. Would an institution on the plan of Parkhurst be more expensive?—Yes.

4200. You are aware that, with reference to the estimate with which you have favoured the Committee, the sum of £10,000 does considerably exceed the cost of buildings which have been recently erected in Ireland for the accommodation of a similar number?—Quite so; but this includes farm buildings and general outfit.

4201. And therefore you conceive that you are perfectly safe in representing £400 as the interest of the money to be expended on an institution to accommodate 400 boys?—Yes.

4202. Have you formed a similar estimate as to the cost of an institution on the plan of Parkhurst?—No, I have not.

4203. From your knowledge of the class of boys who are to be

dealt with, do you think it necessary that such an institution as Parkhurst should provide for an equal number?—No; I feel convinced that a building calculated for infinitely less number would be quite sufficient.

4204. What number?—I should think 150.

4205. Supposing that your suggestion were ultimately to be carried out, and that four such establishments were set up in different parts of Ireland, do you conceive that the numbers of 400 and 150 would represent the most advantageous numbers to place in the institutions to be established in each of such four districts?—Perhaps you might raise it to 600 for the two; I would raise the Parkhurst side of it to 200.

4206. You propose that in one there should be 200, and in the other 400?—Yes; but I would rather begin with 150.

4207. Do you conceive that the experiment could be fairly tried, unless at the same time there were a reformatory school, on the plan of Red Hill, established?—No; I propose that an experimental building, containing these two establishments, should be first attempted.

4208. Mr. *Fitzroy.*] Both in the same locality?—Yes; because there is an obvious saving, as the same governor, the same chaplain, the same medical officer, and the same agricultural instructors, would do for each.

4209. Do you contemplate the whole of them passing through the Parkhurst portion of the establishment?—No; I think that a discretion as to which of the institutions youthful prisoners should be committed should be left in the hands of the judge or the assistant barrister; for I would not give so important a power to the magistrates at petty sessions.

4210. *Chairman.*] That would require legislation?—Yes.

4211. Mr. *Fitzroy.*] Would you allow those who were committed to the Parkhurst portion of the establishment to be transferred to the reformatory portion, when their conduct entitled them to it?—Undoubtedly; I think it would be an inducement to good conduct; at the same time, I think it would be a useful corrective upon the youths on the Red Hill side, if they knew there was a penal establishment adjoining, to which they could be at once transferred.

4212. Mr. *J. Ball.*] Do the grounds on which you propose that only one pair of such institutions should now be established refer to any supposed difficulty in obtaining the necessary funds, or to your idea of its being an experiment?—Merely in reference to its being an experiment.

4213. Would you wait the result of that experiment before establishing similar institutions in other parts of Ireland?—Yes.

4214. Would you confine such institutions, if they were now established, to a certain portion of Ireland; or would you give a general power to the Lord Lieutenant to send prisoners from all parts of Ireland?—From all parts of Ireland, in the first instance.

4215. As it would be a matter of difficulty probably to ascertain in every part of Ireland what accommodation existed at the central establishment, and what the means were of receiving prisoners if

they were sent, can you make any practical suggestion as to the best mode of providing for that difficulty?—I should first of all confine myself solely to cases which were sent to the assizes and to the quarter sessions.

4216. You are aware that there are six circuits going together?—Yes.

4217. How would you provide for the case of a number sent from one circuit, filling the number of vacancies in such an establishment?—There would be no more difficulty than now exists with regard to Parkhurst or Red Hill. If, on the other hand, you limit the area from which juvenile prisoners might be committed to this first experimental institution, I apprehend that magistrates in some parts of Ireland would take means of transferring their juveniles for the purpose of bringing them within that area.

4218. From the facts you have laid before the Committee, is it not apparent that the accommodation at present in gaols, and the discipline of gaols, is extremely ill adapted for the treatment of juveniles?—Beyond all question.

4219. Would not your suggestions with reference to the sending of juvenile prisoners, from quarter sessions and assizes, to the central institution, entail a previous confinement in gaol of such persons, and would not that be calculated to injure young prisoners?—This must be part of a great and general scheme of reformation. I think that if such reformatory institutions were established by the Government, they would have a right to call upon the localities to provide fitting accommodation for carrying out discipline with regard to juveniles, so that separation should be most strictly observed during the short period of their confinement in gaol previous to their trial.

4220. That would include, therefore, a power to require the localities to add to the existing accommodation, where it is not sufficient?—Yes.

4221. And to alter the internal arrangements of the gaol?—Yes.

4225. In case it should be considered desirable to try fairly the experiment of the separate mode of treatment and management of young prisoners, would it be necessary, in your opinion, to give an increased power of control to the central authorities?—Yes; I propose that a power should be vested in the Lord Lieutenant, as representing the Executive; or in the Central Board, to dismiss by warrant officers of gaols and houses of correction; and that all inferior officers of gaols and keepers of bridewells should be appointed by the Board of Superintendence, which is a body which corresponds with that of the visiting justices in England; at present they are appointed by the sheriff, and in many instances without the smallest reference as to the fitness of the individual for the office he has to undertake. In fact, the sheriff has the appointment of every officer in the gaol, except the local inspector (an officer unknown in England), the chaplain, and the medical officer.

4226. You would add to those powers the power of requiring either an addition to existing gaols or the establishment of new

ones, in which classification could be made?—Yes; *in which the separate system should be carried out most stringently.*

4227. Is it your opinion that such a power would encounter a very considerable amount of local opposition in Ireland?—I think it would, unless you gave them an equivalent. I have just mentioned that the gaols of Ireland were most disadvantageously circumstanced, in consequence of their having to bear the expense of all prisoners convicted by a jury.

4228. Do you think that the assimilation of the system in Ireland to that which exists in England, would be considered a sufficient equivalent for the increased expense which would attend the improvement of existing gaols?—Yes.

4229. At the present time, with a legal power for the purpose, money could be raised upon the securiy of the county rates, to a sufficient extent either to build new gaols or to add to the existing gaols?—Yes.

4239. In accordance with the evidence of another witness on the subject, do you object to the committal to prison of juvenile persons as criminals, upon the charge of vagrancy?—Yes. There were in the city of Dublin, in four years, above 5,000 infants, I may call them (that is, children of 10 years of age), committed to prison.

4240. Were those 5,000 committals, or 5,000 separate individuals?—Five thousand summary convictions of separate individuals.

4241. Five thousand separate individuals?—Yes.

4242. Lord *Lovaine.*] Is not the vagrancy of which you have drawn so fearful a picture, greatly aggravated by the misconduct, or at all events, the bad arrangements of the workhouse authorities?—I am afraid that it is to a considerable extent. I have called at different times for returns from the governors of gaols with regard to their estimate of the character of juveniles who had been committed from workhouses; and I am sorry to say that they are very generally represented to be full of mischief, very impracticable, and much more refractory than other juveniles. At the same time, it is but justice to state, that from some of the gaols rather more favourable accounts have been returned.

4243. Would not the measures that you have recommended be rendered unnecessary by good management of workhouse schools?—I must say that I think so. Some improvement in management has already begun in Ireland, and I am happy to find that it has been pressed on the attention of guardians very much by an admirable circular issued from the Poor Law Commission in reference to the extension of agricultural schools as attached to workhouses. I am convinced that if that system were fully carried out, if more attention was paid to the juvenile department, or if there were created a department of juveniles in workhouses, subject to more discipline and more moral supervision than at present, a vast deal of this evil could be cut off at the source.

4244. And at a very much less expense?—Obviously; because the institutions are already in existence. It would be necessary,

of course, under such circumstances, to call in the aid of government, otherwise you could scarcely have anything like an uniform or proper system carried out by such variable bodies as guardians.

4253. Mr. *J. Ball.*] Do you concur with the opinion which has been given by another witness, that it would be desirable to have the power of retaining for two years orphans who are admitted to a workhouse, and not allowing them to take their discharge until they have the means of providing for themselves?—I do.

4254. Would you compulsorily detain them in workhouse schools?—I would, until they were of an age to earn their livelihood.

4255. *Chairman.*] And so of deserted children?—Yes, and so of all children who have no relation with their parents; those who have absconded from their parents, and those whose parents have no settled home, are very much in the same condition, for they do not know where their parents are.

4256. Mr. *Adderley.*] In the gaols to which you have alluded, are the children mixed with the adults on the present system in Ireland?—In some of the gaols they are mixed with the adults. I will give you an instance of what we are obliged to do occasionally from want of accommodation. We sometimes have mixed the tried with the untried, and juveniles with adults, and have thus violated two principles of classification in order to prevent greater contamination. I will take such a case as that which Mr. Berwick described, of a boy committed, we will say, for stealing a turnip; he is sent to prison; and if we were to place him among juveniles, perhaps among young pickpockets or boys precocious and hardened in crime, he would be corrupted; we should infinitely prefer, therefore, under such circumstances, putting him into a cell with two adults who had been convicted of some offence which does not argue any great moral depravity, such as an assault. As a general rule, we have issued the strictest orders to governors of gaols, in all cases where it is possible, to give juveniles the benefit of separation.

4257. What is the mode of education of children resorted to in prisons in Ireland?—There is both industrial training and literary instruction in almost every gaol. In some gaols, however, the literary education is very defective; and the gaols are so crowded, that it is almost impossible to carry out any system of industrial occupation.

4258. Are there school-rooms?—Yes. When I say there are school-rooms, I should state that the day-rooms are sometimes employed as school-rooms, but, generally speaking, there are school-rooms.

4259. And a schoolmaster?—Not always, but the exceptions are very few. I am happy to say that, at our instance, the judges have strongly taken up that question lately, and have insisted on schoolmasters being appointed before they will fiat the presentments of grand juries.

4268. *Chairman.*] Have you considered the subject of making provision in any way for children after they are discharged from institutions of this kind, and have you any suggestions to make on

that point?—I was very much struck last year in Paris by the operations of the 'Société pour le Patronage des Jeunes Libérés de la Seine;' it is under the presidency of M. Beranger, and it has been wonderfully successful, according to their own returns. They select from La Maison Centrale d'Education Correctionelle de Paris (which is the juvenile prison of Paris) as many boys as they have room for. Some of them are taken out immediately on their discharge, at the expiration of their sentences, and others are taken out conditionally, precisely as at Parkhurst. The society have the power, on requisition to the government, of remitting such juveniles to the penitentiary from which they are taken, in the event of any dereliction of duty, however trifling the offence; and although the scene of their operations is confined to Paris, they appear to have succeeded better than any other institution. The number of cases of relapse only amount to seven per cent., and the society has been in operation several years. Being confined in its operations to the city of Paris, it consequently educates in trades and handicrafts the greater portion of its pupils, who are selected, under the authority of the executive government, from La Maison Centrale d'Education. In a report of this institution for the years 1847, 1848, and 1849, made to the Minister of the Interior, M. Carlier, prefect of police, remarks, 'I will not close this report without making mention of the Société pour le Patronage, &c., a society which continues and completes the work of the administration in receiving juvenile prisoners upon their discharge, in devoting itself to procuring for them a suitable mode of existence, and in watching over their future condition, both moral and industrial. It would be, in fact, of little value to the greater number of these children to have imbibed in La Maison Centrale, during a sojourn of some years, principles of order and virtue, if they found themselves, in taking their first steps in the world, exposed to a relapse into their former irregularities from want of experience and support.' Again, M. Beranger, in writing upon this institution, says, 'It would be presumptuous, however, to attribute these successes to our own merits alone, they are in a great measure due to the ever-active, zealous, and humane co-operation of the master tradesmen of Paris.'

4269. When you speak of establishing two kinds of twin institutions, do you contemplate that as many Parkhursts as Red Hills will be necessary?—I think so, but they might be very small; they might be rather, perhaps, in the form of the penal department of the reformatory school. I should be sorry to see the punitive principle disregarded; for I must say that I do not agree with some of the evidence which has been given before this Committee. I think the value of the punitive principle has been very much under-rated. We have reports from every gaol in Ireland, stating that since a severer system has been adopted, particularly with regard to juveniles (for instance, the introduction of the shot-drill punishment), the diminution of offences has been very considerable, and that the number of workhouse offences in particular has greatly declined, which is an additional argument for establishing a more stringent discipline among juveniles in workhouses.

4270. Lord *Lovaine.*] Are you of opinion that punishment and reformation should go hand-in-hand?—Yes.

4271. Mr. *J. Ball.*] With reference to any possible provision for young persons discharged from gaol or from a reformatory school, do you see anything else than reliance upon the voluntary support of individuals, as soon as public attention is sufficiently called to it, and that necessity for exertion is brought before the minds of the upper classes?—I think that orphans, who may be considered the children of the State, might be very often advantageously disposed of in the army and navy.

4272. Would you have a special mode of training directed to that object?—No; as there must be discipline officers, such boys might easily be drilled, but they would require but little preparation for the army.

4273. You have stated that there is every reason to expect a dearth of labour in Ireland?—I hear of it universally in making my tours of inspection, and I traverse every part of the country.

4274. Does not that of itself furnish the surest and best prospect of providing for the juvenile criminal population, if they can be reformed?—Yes; I consider that their absorption in agricultural employment holds out the best prospect of their reclamation."

We have inserted this testimony at length, and consider it most important in supporting our views. In its main features it has the support of Mr. Senior, the Poor Law Commissioner, who was examined on the 29th of April, 1854, and gave the following evidence:—

"4566.] Will you favour the Committee with any suggestions you have to make with regard to the establishments of reformatory institutions, and the plan upon which they should be conducted?—The great difficulty appears to me to consist in making an establishment, especially in Ireland, reformatory, which shall also keep up any deterring features. If you establish a perfectly healthy, happy-looking school, with well-fed children, doing light agricultural work, the great difficulty, I apprehend, would consist in such an asylum not being an object of hope rather than fear. I think that you must endeavour to provide against that danger, by making the first ro probationary period more irksome, by gradually advancing the position of the boy after a certain time, dependent, of course, upon good behaviour, by making the dietary as low as may be consistent with health, and by making the work as hard as may be consistent with the physical development of the child.

4567. You propose a reformatory school, midway between a penal and some other kind of school?—I had contemplated that you would have a penal school into which juvenile offenders would be taken; and that in addition you would have a ragged school, or any other name you may give it, for such as are unconvicted of crime.

4568. Would you have a penal school and a reformatory school for boys who had been convicted of crime, and a third school for

those who had not been convicted of crime?—I only anticipate the formation of a penal school, so far as the State is concerned.

4569. You have stated that you are of opinion that there should be penal treatment in the first instance, and then reformatory treatment?—I anticipated that they should be carried on in the same institution, by progressive steps.

4570. And that both those processes should be carried on in the same institution?—Yes. The chief expense of an institution of that sort consists in its staff of officers; besides, it is extremely difficult to get, as the Committee must feel, highly qualified officers for such an institution. I think that if you multiplied their number, you would have additional difficulty in finding persons qualified for so exceedingly difficult a duty.

4571. You conceive that it would be a very difficult duty?—Very difficult; I think that it requires a combination of very rare qualities.

4572. In your opinion, would it be desirable to give magistrates a power of committing to the school you have described, for longer periods than they can now commit to a prison?—It appears to me to be essential to any prospect of reformation.

4573. For what kind of periods?—Not less, I apprehend, than two years.

4574. At the discretion of the magistrates?—Yes; I think that the period should be much longer than that, but capable of being shortened on certain conditions.

4575. Mr. *Adderley.*] What do you think should be the maximum time?—I should say four or five years.

4576. *Chairman.*] Are you of opinion that funds for the establishment and maintenance of these institutions could be obtained in Ireland from private sources?—I apprehend not.

4577. To whom would you entrust the local government and the inspection?—The Government.

4578. The education, you are of opinion, should be industrial; of what character?—Agricultural.

4579. Would you have the institutions situated in agricultural districts?—Yes.

4580. How many such institutions do you think it advisable to have in the first instance in Ireland?—I should say that four would be a sufficient number.

4581. You agree in the suggestions which have been made on that subject by Mr. Connellan?—Yes; it appears to me, however, that Mr. Connellan has rather under-rated the number whom it would be necessary to provide for; for it does not appear to have struck him, that as you increase the period of detention, you practically have a larger number at one time in a house of detention. But supposing the average period of imprisonment at present to be three months, and that a period of two years is necessary for the reformation of an individual, you would require a much larger number of beds.

4582. You would have an accumulation?—Yes.

4583. Mr. *Adderley.*] Do not you expect that the system will reduce the number of offenders?—Gradually.

4584. Not within the four or five years you have talked of?—It would not begin to be felt for three or four years, I should think.

4585. *Chairman.*] Will you proceed with any other suggestions that you have to make for the treatment of juvenile offenders, directing your particular attention to Ireland, with which you are particularly conversant?—The difficulty with an English juvenile-criminal, I apprehend to arise in a great measure from his want of intellectual developement. I think that with an Irish child, the difficulty consists rather in dislike to labour. I have found for instance, in workhouses in England and Ireland, that the children attained a much higher state of education by the same system in Ireland than in England.

4586. What is the next suggestion you have to make?—If I am not considered as travelling out of the subject of examination, I beg to remark, that I cannot concur with some previous witnesses as to the inexpediency of a vagrant law, or rather a mendicant law. I find that in all civilised parts of Europe mendicancy is treated as a crime. If that be necessary in other part of Europe, I apprehend it to be especially necessary in Ireland. I remember that such an enactment was very much desired by all classes. It has now been for a considerable period in operation. I have never noticed in the press, or on the part of public bodies, a complaint of its existence. It appears to me, so far as I am a traveller and an eye witness, to have diminished mendicancy materially; and I apprehend that if it has worked ill in particular localities in Ireland, that must have arisen in a great measure from the want of due discretion on the part of those who administered it, rather than from the law itself.

4587. Do you think that the law could be altered with advantage with reference to the subject of the inquiry before this Committee?—I think that more efforts should be taken to catch the parents of the juvenile beggar than the child itself.

4588. What can you suggest with reference to that object?—At present the law makes it penal on the part of a parent to send out his child to beg. I think that you might carry that a little further, by requiring the constabulary to arrest children in the first instance, making it their duty to ascertain the residence of the parents; and, in fact, to work out the law a little more than they are in the habit of doing. They now consider their duty to be the reception of the mendicant when he is arrested, but that it is not their duty to arrest him.

4589. Do you conceive that new legislation would be necessary for that purpose?—It might be necessary; but upon the whole, I think that I should leave the law as it stands, and trust to the operation of a more active execution of it.

4590. To a better and more efficient carrying out of the existing law?—Yes. I find, upon looking at returns, that the number of juveniles in workhouses who have ever been in gaol is exceeding small; but that it is much larger in some parts of Ireland than in others. I find almost none in Ulster, with a larger proportion in

Munster. The number of children from 9 to 15 years of age, who have ever been in prison, consists of 770 persons; of these 487 have been committed to gaol for offences occurring in the workhouse; 182 under the Vagrant Act, and 101 for other offences; making a total of 1·5 per cent. of the existing children in workhouses under the age of 15 who have ever been in gaol.

4593. *Chairman.*] With reference to the cost of establishments of this kind, have you had experience, as a Poor-law Commissioner, in calculating the cost of building?—I have had considerable experience.

4594. From the result of your experience, what should be the cost of a building like that which you have stated you would recommend for the first class, penal or reformatory?—I should think that 15*l.* would be ample provision for each person. I am taking by that answer the highest estimate for providing workhouses, which require a very large amount of separate classification, which no doubt forms the chief expense in buildings of this nature.

4595. What number of inmates are you calculating upon as most advisable under all the circumstances?—Considering all the bearings of the question, I have anticipated a number something approaching to 500; I have no doubt that, if one's command of funds were unlimited, other things remaining the same, a smaller number would give more hope of reformation than a larger number, but you meet with great practical difficulties in reducing the number; and it is not merely necessary to consider that which is theoretically the best, but that which is practically within your reach. The very large number of servants and other *employés* in foreign reformatory institutions appears, in some measure, to have arisen from the buildings which they occupied not having been intended for their present use. Being unprovided with means of classification in the building, they established a surveillance by a very large number of servants, who evidently, from the class from whom they were selected, were not persons capable of giving much moral or religious instruction to the children.

4596. Have you any further suggestions to add with regard to criminal children?—Nothing else occurs to me.

4597. Mr. *Miles.*] You have stated that you would put the minimum commitment to these reformatory schools at two years, and the maximum at five or six years; who should determine upon the actual stay of an inmate in these reformatory schools?—The local governor.

4598. How would you form your local board?—I fear that in Ireland you must rely almost entirely upon Government inspection; one is exceedingly glad to avail oneself of the voluntary principle to the utmost extent to which you can get it; but I fear that the elements for good local government in Ireland are few.

4599. Do you think you could allow a committee of magistrates to determine upon the duration, as to good behaviour or bad behavour, of a person's stay in the reformatory school?—I think that, at all events, they should have full power of inspection, and a considerable amount of discretionary power.

4600. If you leave it entirely to a Government inspector, must

not that Government inspector reside on the spot ?—The local governor must of course be resident. He would act on general rules prescribed to him by a higher authority, and would report upon the progress of each child. It seems to me that the great difficulty in a penal reformatory school is the absence of hope and fear; I can only look, therefore, to the boy's improving in successive stages as he advances in good conduct, and to the power of the governor of stopping altogether the period of imprisonment when he believes a boy to be thoroughly reformed, and has an opening for obtaining employment offered him.

4601. Then in the Irish reformatory school which you propose, you would carry out a term of imprisonment, as well as a long term of reformatory action ?—Yes.

4602. Who should determine the length of the imprisonment ?—The persons by whom the juvenile was sentenced. The sentence would be a long one, and there should be a power of commuting it to a short period; in fact, that which we have now, I apprehend, with reference to adults. I believe the Government assume the power of discharging prisoners, as they may deem most expedient.

4603. Then one part of your establishment would necessarily be a prison, and the rest would be a reformatory school. Do you think it would be well to keep the two buildings contiguous, and under the same management ?—The whole would be a prison; that is, a place of detention, as well as of reformation.

4604. You would only soften the treatment ?—Yes; for instance, the first period might consist in remaining in the yard, and the employment irksome, such as stone-breaking,* or at a corn mill; the second stage might consist in agricultural work, thorough draining, the less interesting, or more laborious occupations; and by degrees you would give more knowledge of the theory of agriculture. I am not prepared to work out a perfect plan, but I am endeavouring to sketch imperfectly the system which I should be disposed to recommend

4605. Would you confine 500 boys under one roof ?—All under one roof, with separate places for working; they should go together in distinct bodies.

4606. Always under the same superintendents ?—Different superintendents. I would use the word 'ganger,' not as making use of a penal term, but as a non-commissioned officer in charge of a party.

4607. Have you made yourself acquainted with the French system, and likewise with the evidence which was given by Mr. Turner on this point ?—I have read the evidence which has been given before this Committee, with much interest.

4608. Does not Mr. Turner say that he thinks the more we adopt the family system, the better it will be in working out the reformation of these children ?—I ought hardly perhaps venture to differ in opinion from Mr. Turner, but he appears to me to have had in his mind almost too much the reformation of the offender, as compared with

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* See post on this point.

the penal question; he seems to have lost sight altogether of the deterring principle.

4609. Is not the very object of the imposition of punishment for crime to work out reformation?—Yes; and to prevent other persons committing the same crime.

4610. If it has been found that, at Mettray and other places, the family system has worked out great good, and if Mr. Turner has tried the associated system, and the family system, and has eventually come to the determination that the family system is best, do not you think, from his experience, that is the better system to introduce, supposing these reformatory schools were adopted?—That which I propose would very much soften the punishment for juvenile crime. I would rather begin step by step. I should fear that, if at once the Mettray system were adopted for all juvenile criminals, you might break down. You can easily soften it; you can easily make it more domestic; but I should not be disposed to recommend a total and startling change at first.

4611. The schools which you now recommend would be only initiatory of a milder system?—Possibly. I propose, at first, that the juvenile should be placed in an institution, as it were, half-way between a gaol and perfect liberty, and that it should retain much of the power of detention which exists in a gaol, with reformatory agency.

4612. Then the mild and parental system, which has been recommended for carrying out the reformation of these young people, is not the system which you would adopt in Ireland?—It is not the system which I would adopt in Ireland.

4613. Will you inform the Committee what class you would place under more penal restraint than others?—I should propose to commence by placing the whole in the reformatory; not to have two institutions, but one institution.

4614. What description of people would you make use of as warders?—Much of the success of the system would appear to me to depend upon whom you selected as warders, in which I should be more guided by the character of the man than by his attainments or rank in society. He must be looked for with a lighted candle.

4615. Have you determined in your own mind the description of men who would be the better men to select as warders?—I can hardly represent to the Committee my impression of a good man. There should be great intellectual development, with the utmost amount of benevolence, and the utmost amount of anxiety; really to consider much more the interest of the children as a body than his own. Such persons are rare, but they are to be found.

4616. In the school which you have recommended, in which agricultural pursuits, directly you come to the reformatory system, are to be the sole employment, would there be any necessity for great intellectual development?—I think that, other things being the same, talent is always desirable, inasmuch as it gives greater influence over the minds of the persons who are committed to him; not necessarily education, but natural talent. I think that a man

who has been brought up in a higher sphere than the majority of the children committed to him is not desirable.

4617. What size would you have the farms attached to these schools?—Much smaller than appears to have been considered necessary by the great majority of witnesses who have been examined before this Committee.

4618. Why would you diminish the size which has been recommended by other witnesses?—I would cultivate it entirely by spade labour. It should be a model garden farm.

4619. Have you calculated how many children would be necessary per rood or per acre to cultivate it properly?—I doubt your being able to cultivate with advantage, with a school consisting of 500 boys, more than 50 acres entirely by spade and manual labour, and without horse labour or the plough.

4620. How many would you suppose to be in confinement at any one time, undergoing the first process of their sentence?—One-fifth probably of the number.

4621. Then you put about eight boys to an acre?—Yes.

4622. Do you think that would give them enough to do through the year solely in agricultural pursuits?—I should begin by draining the land very deeply, by processes which the members of the Committee are so much more familiar with than myself. You might carry out your liquid manure, and have everything done by man which is usually done by horse labour, and you would find a much smaller quantity of land necessary.

4623. Would you work all the boys together, or in separate gangs, inspected by the same persons daily?—In separate bodies, but each body should, I apprehend, be under one and the same person, in charge of that party, who should remain with them, work with them, live with them, sleep with them, and, in fact, be their father, if you wish to keep up the domestic principle.

4624. Mr. *Adderley.*] You were understood at first to propose that the reformatory school which you suggest should be an intermediate institution between a prison and a ragged school?—Rather as between a prison and a school; a place in which the reformation of a criminal should be considered together with his admission not being an object of desire.

4625. Do you mean that the character of the institution should be an intermediate character, or that there should be three institutions, and that this should be an intermediate institution?—Only one institution established by the State.

4626. When you used the word 'intermediate' you meant an institution of an intermediate character?—Yes.

4627. When you propose commencing the treatment at this institution more severely, and softening it gradually, do not you think that the first character would always stamp the institution in the opinion of the country?— I do not contemplate anything much more repulsive than we have long had established in the workhouses, both in England and in Ireland, for adults.

4628. You mean that the institution should not be more repulsive than a workhouse?—Not much more repulsive. There should be a

power of detention, which does not exist in the workhouse ; but the mode of labour should be very much the same.

4629. Upon the whole, in the opinion of the country, and especially of criminals, would this institution, as first established, be looked upon as a reformatory or a school?—I hope it would be looked upon as a place of reformation ; a place which a boy would rather dislike entering, but when in it, would leave very much benefited.

4630. What is the principle on which you propose such an institution in preference to a prison, to which children are now sent?—Prison discipline, I apprehend, has at present scarcely the means of being thoroughly reformatory. The modes of employment are all penal ; the children do not work in the open air ; there is less tenderness and less kindness than I believe to be essential to the reformatory system in a gaol.

4631. If you propose maintaining so penal a character, would not some slight alteration in prison discipline attain your object, without a separate institution at all ?—It does not appear to me to be possible. My answers have particular bearing on Ireland, as I consider myself an Irish witness. Ireland contains no fit establishments. A gaol is an ill-contrived, over-crowded building, situated in the heart of a vast town; the child himself lives in the very atmosphere of crime ; on the expiration of his sentence he returns to his former associates ; whereas, if you established institutions such as I have recommended, by which you might, if necessary, send children to most opposite points from those to which they originally belonged, so that at the expiration of the sentence they might be unknown to their former associates in crime, I hope that you might cut off the stream of crime.

4632. Then all your objections to a prison, are the character of the building and the length of the sentence?—To all its features.

4633. You do not object to a prison, *qua* prison, for children?—I do indeed ; I call it a reformatory institution, not a school ; a school seems to me to be a place where children are taught ; I wish for a place where children would be rather trained than taught.

4634. If training and education are your objects, and not simple correction, why do you propose the preliminary penal period in your reformatories?—Lest children should commit slight offences with a view to admission to such institutions.

4635. Do not you injure your reformatory system by giving it that preliminary penal character?—To a certain extent I apprehend that you do, but that seems to be an essential difficulty connected with punishment.

4636. Do not you think that deterring parents, by inflicting the cost of the maintenance of their children upon them, would attain your object, and avoid the objection which you have just alluded to?—I fear not, with our English views as to punishment ; with the continental doctrines, I apprehend that it would be easier to punish the parent for the misconduct of the child. If a child were wandering and begging in Switzerland, or committing an offence against propery, the police would, I apprehend, layhold of the child,

and cause inquiry to be made where his parent lived; and if his parent could not give a perfectly good account of how he supported himself, and how he provided the means of support for the child, the parent would himself be sent to prison. I do not think that, with our English views, we should fully carry out the same principle.

4637. The question was whether, in your opinion, inflicting the cost of the maintenance of children in reformatories upon their parents, would not be a sufficient check on juvenile crime, without inflicting a preliminary penal treatment upon the children?—Parents of that class in Ireland have no funds, and in England very seldom; so that you actually must fall back on the person of the parent, and not on his purse, in my opinion; if the tradesmen class furnished criminals, it would be easier to do so; but as the parents of criminals are the very lowest class of society, I think that you could only get the person of the parents.

4638. Do you consider that the great majority of juvenile criminals in Ireland spring from the very poorest class?—Quite.

4639. Mr. *J. Ball.*] With scarcely an exception?—I am quite ready to add, with scarcely an exception; I do not think that you have, properly speaking, a class of criminals in Ireland.

4640. Mr. *Adderley.*] Are you sufficiently acquainted with the characteristics of the classes in both countries, to be able to say whether that is more the case in Ireland than in England?—It is more the case in Ireland, certainly.

4641. Do you think that imprisonment has much terror to juvenile criminal classes in Ireland?—I think that it has.

4642. And you hope by this preliminary penal period to gain the same deterrent effect to your reformatory institution?—Yes; I find that juvenile criminals of all classes, and especially Irish ones, have great dislike to labour and discipline, and I hope that those principles, even though kindly carried out, may be looked upon with dislike by parties who have not yet committed crime.

4643. You think that the mere deprivation of liberty and infliction of work, may be used with more effect as a penal treatment in Ireland than it can be in England?—Upon the whole, I should say so.

4644. Are you not afraid that this first penal stage would consist of a treatment rather injurious than otherwise to children; as, for instance, employment in stone-breaking which you have alluded to, and similar employments, are they not rather obstructive of the proper education of children?—Education may still be carried on for a certain number of hours of the day; I think that even a child who commits an offence against society, should receive soon after it something in the nature of punishment; something which he very much dislikes, and wished to get over.

4645. In your remarks upon mendicancy and vagrancy, you were understood to state that you thought no alteration of the law was necessary, but that the present law should be carried out more strictly?—I am not prepared to say that it might not be possible to alter the vagrant law with advantage; but I believe that the law as

it stands, if judiciously carried out (and in the greater part of Ireland I believe that it is judiciously carried out), would be sufficient.

4646. Vagrancy and mendicancy, according to the present law, are crimes?—They are.

4647. Mr. *J. Ball.*] The Committee understood Mr. Connellan to recommend that institutions should be established, which should contain, either under the same roof or immediately contiguous to each other, two separate compartments, in one of which a severer discipline, analogous to that of Parkhurst, should be enforced, and in the other, very similiar to that which is enforced at Red Hill, with which probably you are acquainted from the evidence; does that substantially concur with your recommendation?—It is very much the same.

4648. In this respect, however, you differ; that you think all the children committed to such institutions should, in the first place, pass through a severe discipline; and that in consideration of good conduct and general progress, they should be advanced to a milder department?—Precisely.

4649. With reference to an answer you have already given upon the subject of vagrancy, you are understood to be of opinion that young persons guilty of vagrancy should, when they are apprehended, be placed in such a penal reformatory institution as you recommend?—Yes.

4650. Then this difficulty occurs, that young children who, if the parents thought proper to apply for relief, would be admitted to a workhouse school, would, without anything that could be considered a moral fault on their part, without a knowledge that they were breaking the law, and in consequence of the default of the parents, either to take proper charge of them, or, if destitute, to apply for admission to the workhouse, become inmates of a much more penal institution; does any answer to that occur to you?—The remedy for that evil appears to me to consist in endeavouring to get at the parent, which the Vagrant Act seems to contemplate.

4651. From the answer you gave, you were understood to be of opinion that no practical good would be obtained from sending children to such an institution, unless they were detained there a considerable period?—Yes.

4656. Does it appear to you that vagrant children, or children of beggars, are a class whom it is practicable at present for the State to take charge of, with a view to their education, and to rescue them from the temptation to crime in which they are brought up?—At the present moment, their number appears to me too large to grapple with. I do not think that the State could take the children of all the mendicant and criminal classes, and separate them from their parents, and provide for them. Neither, in the present state of Ireland, do I apprehend that that would be considered a punishment, in a considerable number of cases.

4663. You would not consider repeated convictions for vagrancy or mendicancy a ground for removing such children to a reformatory institution?—I should.

4664. With reference to the management and government of re-

formatory institutions, would you recommend that they should be exclusively under Government control, and allow the visitation of local bodies?—Certainly; of course providing religious administration, to which I should attach the utmost importance.

4665. You would, as a consequence of retaining the exclusive control and management of the institution, think it necessary that Government should pay the expense of the establishment?—The building and the expenses of the establishment, but not what is called maintenance; I should wish that to fall as a local charge.

4666. Can you make a definite suggestion as to the way in which that chargeability should be imposed?—I think the present Irish poor law statutes enable you with great ease to carry out that system.

4667. Would you recommend that the maintenance of young persons in a reformatory institution should be charged exactly as if they were relieved under the Poor Law Acts?—I should carry out that principle.

4668. Would you impose the charge upon a particular district?—I should endeavour to localise it as far as possible.

4669. With reference to parental responsibility for criminal children, it is your opinion that in general, in Ireland, that responsiblity could not be enforced against the property of the parent?—Property does not exist.

4670. Admitting such cases to be rare, do not you consider that it would be a just provision of the law, that where the parents of criminal children had property, they should become responsible for their maintenance in a reformatory institution?—It would, at all events, be harmless, and in some rare cases might be practically useful.

4671. With reference to the disposal of the children to be admitted into a reformatory institution in Ireland, is it your opinion that it would be practicable and desirable that any portion of the proceeds of the labour of the children, when advanced from the penal department to the training department of such a reformatory institution, should be set apart for their future outfit, either at home or abroad?—It appears to me to be desirable; trifling variations might be made whilst they were in the institution; there might be slight rewards in the nature of food or treatment, with deferred pecuniary advantages on quitting the asylum.

4672. From your knowledge of Irish children, do not you conceive that the element of hope is very active in their minds?—Yes, it is very strong.

4673. And that a prospect of being able to provide for themselves after leaving the establishment would be a strong incentive to good conduct?—That might possibly be applied in the shape of a hope of a passage to America as a free emigrant.

4690. Mr. *J. Ball.*] You are of opinion that education in Irish workhouses might be made considerably more efficient if a superior class of teachers were appointed?—Yes.

4691. Is it your opinion that, at least throughout a part of Ireland, the guardians are not yet sufficiently alive to the importance of securing the services of efficient teachers, and are unwilling to give

the salaries which such teachers would require?—It is so; and, moreover, where they employ efficient teachers, they are too often disposed to employ an insufficient number.

4692. Is there a difficulty at present in Ireland in enforcing, by the authority of the Poor Law Board, the selection of masters of a high class, and with good salaries?—There is. I am glad to say that very important aid indeed has been derived from the National Board granting small sums of money in the nature of a premium, to schoolmasters whom they may deem most deserving, in addition to the annual salary fixed by the guardians.

4693. You are aware that in England the salaries of the masters of workhouse schools are paid by Government?—I am.

4694. Do you believe that it would materially conduce to the improvement of the education in Irish workhouses if the same rule were applied in Ireland?—I do. I do not know any single change which would be attended with a greater advantage, and with less proportionable cost.

4695, Can you inform the Committee whether, in the unions of the south and south west, where the number of paupers for several years was very large indeed, and greatly exceeded the original estimate upon which the workhouse was built, additional buildings, which went by the name of 'Auxiliary Workhouses,' are still found to be necessary?—They are diminishing in number.

4696. Are there still a considerable number of them?—There are.

4697. Do you conceive that in some cases the original workhouses are not likely to be adequate to the wants of the districts?—Yes.

4698. Would you avail yonrself of the circumstance that the present buildings are not adequate, to endeavour to establish in those unions separate buildings for local purposes?—In certain unions this might be attended with great advantage.

4699. Is it your opinion that the guardians would be able, from their existing funds, to establish such schools without assistance?—Not without assistance as regards building, supposing them to be built.

4700. Do you think it is very desirable, as these unions are, generally speaking, the poorest unions in Ireland, that some assistance should be provided for the purpose of aiding them to build separate school buildings?—I think that it would be very desirable.

4701. Are there a class of boys and girls in workhouses for whom the ordinary discipline and rules of punishment seem to be inadequate?—My attention has been much drawn to that subject of late by the evidence of the witnesses before this Committee. I apprehend that the necessity which is complained of, arises not from the punishment itself being inadequate, but that they have looked to it rather than to a higher and more proper system of management; and that, as you make the punishment more severe, other things being the same, the more the parties in charge of them would look to that punishment as a means of keeping the place in order; and therefore that the result of the change would be injurious. I never knew any good schools where the punishments were frequent and severe. The milder the system, the better the discipline.

4702. Still in cases where there are children who are found unmanageable, do not you think it is desirable that they should be sent to the penal institution?—When established, certainly; with a power of charging their maintainance to the unions from whence they were sent."

We have inserted the evidence of Mr. Connellan and of Mr. Senior, almost in full, as we believe that from both, the true principles upon which Irish Reformatory Schools should be established can be learned. To these evidences, however, we must add that of Mr. Frederick Hill, who, to sixteen years' experience as a Prison Inspector, experiences most ably developed in his valuable work, *Crime, its Amount, Causes, and Remedy*, has superadded very great knowledge, gathered from reading and observation, of the Penal and Reformatory Institutions of other countries. Mr. Connellan and Mr. Senior have expressed their opinions of the classes of schools required by, and suited to the peculiar condition of Ireland; Mr. Hill states the plan upon which all Reformatories should be established:—

"The loss of liberty, with the certainty of being subjected to punishment for persistence in misconduct, appears to me to be a sufficient guarantee against a reformatory school becoming a place of attraction. At the same time, I think it is desirable that the school should be open to any children who may desire admission, and whose parents may be willing to pay for the cost of their maintenance, in order, among other reasons, that if, on the one hand, the quantity of labour to be done is too small, or the scale of living too high, the fact may at once become apparent by the number and character of the applications for admission. With respect to the different arrangements for managing and providing reformatory schools, I quite concur in the importance of securing voluntary assistance as much as possible. I always recommended in my own district that well-selected visitors should be admitted into prisons. I would point out that such aid is quite consistent with Government direction, as shown, for instance, by the reports of the State reform school in Massachusetts, where the officers are appointed by Government. I am disposed to think that the best plan would be for Government to encourage the formation of societies, with limited liability, but without a view to profit, for the purpose of establishing reformatory schools, and then to enter into contracts with them at a given charge per head, the period of liberation being subject to the veto of a Government officer, and the society undertaking to bear the cost of the child's subsequent confinement, if after liberation he should, within a given period, relapse into crime; the pecuniary responsibility of the parent to be enforced by Government in the way of repayment. Into such societies I have no doubt that many men, earnestly bent on the adoption of effective means for re-

claiming juvenile offenders, and stopping the sources of crime, and who combine high intelligence and sound judgment with zeal, would gladly enrol themselves; and happy would it be for the country to obtain their services. Contracts actually exist with regard to the Philanthropic farm at Reigate, and so far, therefore, the Philanthropic Society is such a society as I would propose. Captain Williams recommends an extension by Government of this contract system with the Philanthropic farm, and in the principle of that recommendation I quite concur. The contract system is also in use at Mettray, and Rauhe Haus, near Hamburgh. It appears to me that there is a tendency in all societies for relieving the destitute and reclaiming criminals to look more and more to Government for aid, the object being felt to be not of private but of national concern. Thus the society at New York for the reformation of juvenile delinquents, which, probably, was at first supported wholly by voluntary contributions, is now entirely dependent upon municipal and state government.

3146. You think that the contract obviates risks or dangers which would otherwise result?—Yes; I think it is a dangerous principle for funds which are supplied by Government to be administered by other hands. Persons may try to obtain a share of the management for dishonest purposes; but the plan of contract seems to me to obviate those dangers, and yet to give full scope to voluntary action.

3147. Then that is the plan you would suggest?—Yes; but I think that in a matter upon which there is such a great variety of opinion, it would be expedient to try several plans. The plans to which I am now referring are, first, reformatory schools under the sole management of officers of Government; secondly, reformatory schools such as have been proposed by several witnesses, supported partly by private contribution and partly by Government, but subject to the inspection of Government officers; the managers being appointed by the societies founding them; thirdly, reformatory schools belonging to societies such as I have described, these societies being invested with full power of management (subject to Government inspection), undertaking all pecuniary liabilities, and receiving a certain sum from Government with every boy or girl, under securities, such as I have referred to, for the effective and faithful performance of their duties. Besides the advantage of trying various experiments, I think there would be a wholesome spirit of emulation created. I do not think it would be prudent for any general course to be adopted until every plan which has a fair promise of success has, to a certain extent, been tried.

3148. By way of experiment? Yes. I have no doubt that by care in placing boys of similar ages, occupations, and characters in each school, and by taking means for obtaining information of their subsequent career, the comparative success of each plan would be placed beyond doubt. I think it important that where a parent who is unable to control his child, and to keep him out of crime, is willing to pay the expense, he should be allowed to send him to such a reformatory school as has been proposed, according to the practice

in America, without waiting until the child is disgraced by public trial and conviction. I would say, lastly, that it is the practice in many ragged schools, industrial schools, houses of refuge, and other similar institutions, to make the degree of destitution the ground of admission, and this without enforcing parental responsibility (which indeed they have no power to do), thereby removing the motives in parents to industry and frugality; but there would be no danger, on the plan I have proposed, of the Government funds being so applied.

The chief evidence relating to Ireland is now before the reader: the cost, the supervision, the entire plan upon which the Schools should be conducted is within his knowledge, and all gathered from the evidence and experience of those who should be best acquainted with the wants of the country—Mr. Connellan speaking from his knowledge of the criminal population, Mr. Senior forming his opinions upon long acquaintance with the necessities of the pauper class.

We are aware that many of the friends of the Reformatory School Movement in England will feel surprized at the almost total ignoring of all voluntary agency, in the conduct of Reformatory Schools, plainly perceptible in the evidence of Mr. Connellan and of Mr. Senior; it is, nevertheless, a fact, that these two most able and excellent witnesses express most clearly the sentiments of the great majority of those who are capable of forming opinions upon the subject, when they speak of the entire principle as one which must be chiefly aided and carried on by the Legislature. We do not mean that Mr. Connellan and Mr. Senior contend that there shall be no voluntary agency; indeed Mr. Connellan, in his Report for 1853, appeals to the Corporation of Dublin, and refers to Mr. Pim's pamphlet upon the subject of juvenile delinquency, in aid of these young criminals' reformation, but they consider that in Ireland the State must be, from the peculiar position of the country, more active in interposition and in *support*, than in England. The witnesses do not by their evidence imply that we are less charitable than our English brethren, but simply that we are less wealthy. "Dublin," as it is expressed in the Report of the Select Committee on Dublin Hospitals, "is a metropolis for the poor but not for the rich," and as these hospitals cannot be supported by voluntary contributions, so neither could the Reformatory Schools be carried on without considerable aid from the Legislature. On this point, indeed, it would be well if in Ireland each of the points urged by Mr.

Frederick Hill's evidence, in answer to query 3,147, and urged still more strongly thus, in his letter to the Secretaries of the Birmingham Conference of 1853 :—

"I earnestly hope that each of the chief plans now before the country for the reformation and proper training of children, who have either actually fallen into crime, or are in circumstances likely to lead them into it, will be put to the test of experience before any plan is chosen for general adoption; and that we shall see in operation at the same time, and in direct comparison with each other—1st, Juvenile Reformatory Schools, under the direction of persons voluntarily associated for the purpose, and who receive State support in the form of payment for each inmate sent to them by official authority, and 2ndly, Government Juvenile Prisons like that at Parkhurst, with Industrial Schools in connection with Workhouses; some of these prisons and schools under official management only, and some under official management aided by the voluntary exertions of persons able and willing to afford assistance; such assistance as I used to witness with great pleasure in several of the prisons formerly under my superintendence. The success of several of the Reformatory Schools in America under an arrangement similar to what I have mentioned, and the success of the Juvenile Prison at Mettray, of the farm at Reigate, belonging to the Philanthropic Society, (so far at least as there has been time to judge,) and the great success of the Asylum for Boys, (chiefly delinquents,) that existed at Hackney Wick until the death of Captain Brenton, its excellent founder, afford strong evidence in favour of the voluntary principle of action; while the superiority of Parkhurst over the juvenile department of most other prisons, and the good effects of the Industrial Workhouse School, near Bridgnorth, and of several other similar schools, speak very favourably for certain principles of official direction. *Perhaps it may appear that a combination of the two plans is better than either, or at any rate, that if the voluntary principle is to be chiefly acted on, Government inspection should be superadded, as indeed is proposed by most of the friends of the voluntary principle.*"

In this extract Mr Hill has epitomized the principles upon which Reformatory Schools have been founded, and to Ireland, those words which we have italicized are of very pertinent application. If, for example, the Government were to say, we extend the provisions of the *Juvenile Offenders' Act* to Ireland, and will adopt the suggestions of Mr. Senior, and forming the Poor Law Unions into districts for Reformatory School purposes, we will prepare certain of the Auxiliary Workhouses, and make them Reformatory institutions, and place them under the care of those who may be most active in the movement—contributing, upon the plan of the Irish Board of National Education, a sum of like amount to that which can be raised by local subscriptions, the institution to be under the full

inspection of an appointed officer—if this system were adopted for our criminal juveniles, with all the provisions of the act as to power of committal, PARENTAL RESPONSIBILITY, &c., we have little doubt that the Reformatory Principle would be warmly supported in this country, and actively tested in Reformatory Schools.

We have shown, from unquestionable sources, the great necessity for these Schools in Ireland; we have placed before the reader the opinions of two most excellent authorities upon the subject; and amongst the progresses of the quarter, we may state as a fact, that every Judge, and every Assistant Barrister, every Poor Law and Prison Inspector in Ireland, is anxious to see the *Juvenile Offenders' Act* extended to this country. What that Act is, the reader shall learn from the following able charge, delivered by the Assistant Barrister of the County of Longford, Thomas O'Hagan, Esq., Q.C., to the Grand Jury of the Quarter Sessions, held at Longford, October, 1854:—

"MR. FOREMAN AND GENTLEMEN OF THE GRAND JURY.—It is not my custom to address you at any length. You are well acquainted with the nature of your duties, and efficient in discharging them; and I should content myself by offering to you, once more, my sincere congratulations on the increasing quiet, order, and morality of your county, as attested by the calendar before me; but that I think I may usefully refer to a subject which has long appeared to me of much public importance, and to which a Statute of the last Session should compel the attention of all, who are connected with the administration of the Criminal Law in Ireland. I allude to the treatment of juvenile offenders, and I desire to inform you as to the provisions of that Statute. From time to time, as many of you are aware, I have had occasion, in this place, to lament the condition of our penal system, which does not distinguish between the erring child and the depraved adult,—providing the same prison and the same discipline for the one and for the other—too often making punishment the creator of the crime which it is designed to extinguish, and hardening young hearts, whose innocence, but lightly tainted, might have been purified and confirmed by the exercise of a wise humanity. Frequently I have seen in this court, little children—so small as scarcely to be distinguishable in the dock—victims of neglect and utter penury—convicted on some trivial charge, the nature of which they were scarcely competent to understand; and I have felt it deeply embarrassing and painful to deal with them judicially at all. Very often, without father or mother, or friend, or shelter in the world—sometimes, with parents, whose principles and conduct put them in a worse condition than that of orphanage—such children, if dismissed with a rebuke, quickly commit new offences, and come again before the magistrate, whilst, if they are sent to prison, we have no effectual provision for their moral training, and no ground of assurance that they will not be contaminated there. The atmosphere of the gaol is noxious to them. Its educational arrangements are, at best, imperfect. Its inmates are not often fitly classified. Evil communications continually take place, and the young offender becomes confirmed in vice and irreclaimable. Again and again, he returns to receive punishment, which is of no profit to himself or to society. Every new imprisonment makes him less fearful of its repetition, removes him further from the ways of honest people, and increases his familiarity with crime and criminals.

And if it chance—as chance it may—that some lingering sentiment of virtue, or some religious grace, should touch his soul, and awaken in him a longing to do well, how is he to obey the saving impulse? His incarceration is over, and he is in the world again; but the paths of industry are closed against him. Who will trust the thief, or employ the felon, or dwell with the convicted outcast? He knows no means of living permitted by the law, and has no friends who are not among the wicked. And, so, the hour of redemption passes—the good purpose fails—the abandoned and despairing boy seeks his old haunts and his old companions—sustains his wretched existence by warring upon that society which he knows only as an avenging enemy, and finds the gaol his frequent home, until, perhaps, he exchanges it for the convict ship, or passes from it to the scaffold. The picture is a sad one, and has its living originals perpetually reproduced in these countries. It behoves us to amend a state of things so fearful. If we would extirpate the roots of crime we must regard the condition of the youthful criminal; and whilst we repudiate the morbid sensibility which shrinks from the just infliction of necessary pain, we should hold it an equal duty to reform when we can, and to punish sternly when we must. Continental nations have in this matter, been greatly in advance of us. The distinction between the child's crime and the man's has been recognised for forty years by the law of France, and individual benevolence and the wisdom and liberality of governments have united in that country to create establishments for the moral and industrial training of juvenile offenders. Europe has admired the success of Mettray and honoured the devotion of its beneficent founders. Belgium, Switzerland, Germany, Austria, and Hungary, have all institutions of a similar kind; and America has long possessed its admirable Houses of Refuge which have worked effectively for the reformation of criminals and the prevention of offences. Much also, has been accomplished in Great Britain—Royal Commissions and Committees of Parliament have acknowledged the propriety of a change in the penal treatment of the young; Reformatory Schools have been maintained in England and Scotland, through the voluntary efforts of generous men, who have devoted their money and their labour to this noble service; and many of the highest names which the Empire can boast amongst its legislators, its judges, and its lawyers, have lent them cordial sanction and support. But, until this year, our legislature had made no authoritative admission of the distinction between the young and the adult, which had been established in almost every other European State. The law gave no help to the endeavours of good men, in this direction, and judges had no power to advance and apply them for their great purpose. At last, when discussion had directed general attention to the matter, and after such resistance as usually encounters novel proposals, however excellent, in a conntry where the action of cabinets and parliaments habitually halts behind opinion, the act of the last session, (17 and 18 Vic., c. 86,) was passed. It is entitled, 'An act for the better care and reformation of youthful offenders in Great Britain,' and recites that reformatory schools for the better training of such offenders, have been, and may be established by voluntary contribution, 'in Great Britain,' and that more extensive use should be made of them. The first section provides, that, on application from the directors of any such institution, one of the inspectors of prisons shall report upon it to the Secretary of State for the Home Department, and if it appear to him to be efficient for its purpose, and if he shall so certify, it shall be held to be a reformatory school under the provisions of the Statute, the power of inspection continuing, and the Secretary of State having authority to withdraw his certificate. The second section authorises judges, magistrates, &c., before whom any person under the age of sixteen years shall be convicted, in addition to the

sentence passed upon him, to direct him to be sent, at the expiration of it, to one of the reformatory schools, the directors of which shall be willing to receive him, and to be there detained for a period not less than two years, and not exceeding five years, provided that no offenders shall be so sent and detained, whose sentence of imprisonment shall not be for fourteen days at the least. By the third Section, the Commissioners of the Treasury are authorised to defray, out of funds to be provided by Parliament for the purpose, either the whole cost of the maintenance of the offender so detained, or such portion as shall not have been recovered from his parents or step-parents, or such other portion as shall be recommended by the Home Secretary. The fourth section provides for the punishment of any juvenile offender absconding from the reformatory school, or refusing to conform to its rules during the period of his detention. The fifth section authorises the court directing the detention of the criminal child to charge its parents or step-parents, if of ability to pay, with a sum not exceeding five shillings per week, for his maintenance in the school, that payment to be in relief of the charges on the Treasury, when it shall have defrayed the whole or any portion of the costs of maintenance, and in all other cases to be made to the directors of the school. The sixth section applies the machinery of the poor law to compel the parents or step parents to support the child whilst in the reformatory school. The seventh section empowers the Home Secretary to remove the offender from one reformatory school to another; and the eighth provides that the act 'shall not apply to Ireland.' Now, this Statute may not be, in some respects, such as it ought to be; it is not fully satisfactory to many Englishmen, who have most earnestly asserted the principles which it partially adopts, and its provisions should be well considered, with a view to the circumstances and condition of Ireland, before it be extended to this country. But, it has made a great step in the right direction. It recognises the necessity of special training for juvenile offenders, and acknowledges that courts of justice should treat the child and the man on different principles, and by different agencies. It admits, that the State is bound to contribute to the maintenance of reformatory institutions; and it establishes the responsibility of parents for the support of the young delinquents whose misdeeds have been the consequence of their own evil teaching, or corrupting example, or criminal neglect. We cannot overestimate the value of these legislative declarations. They speak a doctrine as sound as it is novel, and, carried wisely out in practical detail, their influence must be of the largest social benefit. It is to be lamented that they are without force in Ireland. We cannot greatly blame the authors of the Statute, for it deals with and through reformatory schools established by voluntary contributions, and they have yet no existence here. The fault is very much our own, and we should make haste to put it from us. For, Ireland greatly needs such institutions, and such a law. Her juvenile offenders bear a formidable relation to the mass of her criminals; they are not, we are told by an Inspector-General of our prisons, less than one-fourth of the whole, and the proportion is alarmingly on the increase. From the returns furnished by Mr. Kavanagh, in a report to the Commissioners of National Education, it appears, 'that from the year 1845, to the year 1852, the number of committals of children under sixteen years of age, as compared with the whole number of commitials for those years, has increased from five-one-fourth to nine-seven-tenths per cent., or a relative increase of 85 per cent. in seven years.' This is a very startling and painful state of things. And it becomes doubly so, when we remember, that whilst young cri-

minals thus crowd our gaols more and more, from year to year, and, of course, prepare for a corresponding increase in the general crime of the country, these gaols are, and must continue to be, in the words of those to whom the inspection of them is intrusted by the Government, unprovided with means of coercion, education and reformation, applicable to the peculiar condition of such offenders; and if the necessity for such institutions and such a law be thus manifest, we should be encouraged to achieve them for ourselves, because there are good grounds of hope, that we may use them with peculiar profit in Ireland. The nature of our people is plastic and manageable, susceptible of good impressions and very sensitive to the humanizing influences of kindness. We have not, amongst us, nearly so much of hardened, ingrained, hereditary criminality as prevails in some other countries, and resists, too successfully, the force of discipline, and the pleadings of religion. And the experience of some of our work-houses, though their training for the young has been necessarily uncertain and insufficient, has given cheering proofs that very many of our pauper children are ready to avail themselves of any opportunity of good, they may be allowed to enjoy. These considerations, and this experience assure us, that reformatory schools may be fairly expected to have eminent moral usefulness amongst us. Rightly ordered, they will lessen taxation, whilst they diminish crime; and we can here at least, apprehend no valid economic objection to them, for skilled and honest workers are needed in Ireland, and we run no risk of overstocking the labour market, by training to productive industry the multitudes of wretched children, who must continue to infest our prisons, consume our substance and disgrace our country, if they are left in their ignorance and abandonment. I have not discussed conflicting theories, or adverted to possible difficulties which may demand grave consideration from the founders of a reformatory system. Neither is this the occasion on which I could properly consider the nature of its details. But, I am satisfied that the theories may be reconciled and the difficulties overcome, and the experience of other communities will guide us safely, if we resolve to establish such a system in our own. My present object is merely to invite attention to a good work, which has found many to toil at it elsewhere, but has not yet been begun amongst us. And I have used this legitimate opportunity of my office for adverting to it, because I believe it to be eminently a work of social necessity and Christian mercy, and because I desire that Ireland should cease to endure the disgrace of being almost, if not absolutely, the single civilized nation in which it is neglected."*

* It must not be supposed that the advocates of Reformatory Schools consider the Reformatory *Principle* as inapplicable to adults; indeed the separate system of Imprisonment is, when properly administered, as at Reading, not very much unlike the Reformatory School. The hopes and intentions of the advocates of Reformation were thus Christianly and eloquently stated by Mr. Recorder Hill, to the Grand Jury of the Michaelmas Quarter Sessions, held in Birmingham, last September:—

"Nor, gentlemen, while congratulating myself upon what has been gained, can I repress the desire to look upon the position we have reached, more as an earnest of further progress than as a place of rest. PROVIDENCE has endowed children with an influence upon our sympathies, which, as they advance to manhood, drops unawares from their hands; and as public opinion is more easily won over when approached by sentiment than by argument, it was wise on the part of the philanthropist to put into the front of the battle the cause of the young, and to keep back that of the adult until vantage ground had been secured.

If, however, this Act were extended to Ireland; if the entire principle were admitted, Voluntary and Governmental, still the Religious Difficulty question would arise. It would be, doubtless, a very serious question—religion, in its fullest extent, should enter into and pervade the entire system—without it there might be secular teaching, and advancement in secular knowledge, but without it there could be no Reformation; and after years of toil, of wasted care, we should have these children crying to us, as *Caliban* to *Prospero*,

> "You taught me language; and my profit on't,
> Is, I know how to curse."

That the treatment of children must differ from the treatment of men is obvious, whether the children and the men are at large or under legal coercion. But as regards the duty of applying the same principle of punishment to each class, no valid distinction between the two can be established. The solid foundation on which the claims of the young to Reformatory treatment must be based, is that it has been proved to be advantageous not merely to youthful offenders, but to the community at large—not to a part only, but to the whole. Yet this ground being once conceded to the young, it will be found on examination, to support the claim of the adult to similar treatment. That greater difficulties will have to be surmounted, and that the incurable will constitute a larger proportion in the latter class than in the former, may be admitted. Yet these admissions can safely be made without at all disturbing the general conclusion, which is, that as to both classes Reformatory Discipline ought to be regarded as the rule, leaving the exceptions to be dealt with as best they may. But the claim of the adult portion of the offending classes, even upon our sympathy, will be strongly felt by all whose charity can be awakened by reflection, and is not altogether dependent on outward impressions or instinctive impulse. The little outcast of tender years, standing at a criminal bar, over which he can scarcely lift his eyes, becomes, upon the instant, and without time given for thought, the object of our compassion. But suppose years to pass away; suppose him still to remain the creature of ignorance and abandonment; all this time will evil habit be doing its work; slowly but surely reducing him to a slavery hopeless of redemption. Let us now suppose the period of life to have arrived when appetites and passions which had slumbered through his adolescence, awake to urge him on to his ruin, with a force which his unhappy training has deprived him of all power to resist, even if the desire for better things should still survive. Is such a being, I ask you, gentlemen, less an object of commiseration to the thoughtful Christan than the neglected child? If pity in minds well regulated has relation rather to the depth of the misery which calls it forth than to the aspect, winning or repulsive, which that misery may chance to wear, the neglected and ill-trained man has even a stronger claim on our good feelings than belongs to his younger competitor. And if, as it has now been solemnly admitted, the community is bound to take charge of the child, with the intent to reform him, can it be relieved from that responsibility by permitting him to remain in his vicious courses until he grows up a man? Surely if, by our indifference we have sinned against the youth, so far from expiating our offence we double it, if we persist in our apathy until he is mature in years as well as in crime."

Religion, therefore, must be an essential part of the system —it must be the soul of the system—and hence arises the difficulty—how are the schools to be conducted; are they to be for Roman Catholics alone, or are they to be conducted upon the united system? Here, however, as on all other points connected with the practical working of the schools, Miss Carpenter comes to aid us, with her noble singleness of purpose, and her fine observant mind. We quote from her evidence before the Committee of 1852, on Criminal and Destitute Juveniles; she had stated that in any schools of which she was the manageress, or patroness, she would require the reading of the Scriptures, and was asked,

869. "How would you provide for those parts of the population which consist of a great proportion of Roman-catholics, where their own particular views of reading the Scripture are very peculiar?—In the way I suggest only. Of course, when carrying out such a school as I am proposing, I would not be so strict as I would in the day-school in controlling the master. I would let him freely give his religious views, with the general direction that his teaching should be practical.

870. But still there would be a compulsory attendance of children, would there not, upon the reading of the Scriptures?—Yes.

871. So that you could not obviate the objection which might be taken by a Roman-catholic parent?—No, but that would be remedied according to my own plan by Roman-catholics themselves establishing a school of their own.

872. But do you not propose that these Reformatory Schools should be supported by a general rate, in the event of a subscription fund not being adequate for that purpose?—Yes; but the rate is levied for them as Reformatory Schools. The rate would be levied in order to support reformatory action upon certain children who were vicious citizens, and whom it was wished to transform into useful and good citizens. I think that we must be exceedingly careful not to control their consciences more than can be helped. We all agree in the use of the Scriptures, in considering them as containing the rule of life; we know that the Catholics do not approve of the kind of use of the Scriptures that we may adopt, though at the same time they have authorised in Ireland selections from the Scriptures. If Catholics felt an objection to the children being confined in such Reformatory Schools (because they might justly say children who are sent to prison are only sent for a certain time, but when they are placed in these schools they may be detained there for many years, until their minds are entirely moulded), then let them establish a Reformatory School themselves, only taking care, as at Mettray, which we have quoted as the especial type of one, and which is a Catholic School, that the Reformatory action is thoroughly carried out so as to satisfy the Government inspector; and if so, I do not see why Catholic children should not be sent to Catholic Reformatory Schools, if they feel the matter of sufficient importance to establish them.

999. *Mr. Monsell.*] In a community, such as Manchester for instance, which is very much divided in religious opinion, how do you conceive that the initiative would be likely to be taken with reference to these schools; do you contemplate, for instance, that the members of the Church of England should establish a school if they pleased, that the Roman-catholics should establish a school if they pleased, that the Unitarians, and so on, should establish a school if they pleased, and that then the school should come under the denomination of a reformatory school, upon being inspected by a sub-Government authority, and declared to be suited for that purpose?—That is my idea. I believe that if voluntary action is enlisted, it is absolutely necessary to leave the religious question to the consciences of those who establish the school, and that the only aim of Government is to reform. It is not the aim of the Government to enforce such or such a religious belief upon such and such children, but it is its aim to transform vicious children into useful members of society. The religious difficulty will be entirely avoided if such a course is adopted, because, as in the dissenting schools at present, the inspector would solely look into the management of the school, and investigate whether it carries out the objects intended by the Government, in granting the money and certificate, and would merely inquire from the conductors of the school whether they were satisfied with the religious teaching. That plan has answered perfectly in the case of the schools at present aided by the Committee of Council, and I do conceive that that would be the only way of effectually carrying out such schools as these.

1000. In point of fact, a school would become capable of Government or of municipal assistance upon the certificate of the inspector?—Solely upon the certificate of the Government inspector that such school was really carrying out the objects intended, and I think that great injustice would be avoided by taking such a course. A very large proportion, as you may possibly be aware, of the population of Bristol, of the lower classes, are Irish Catholics. A large proportion of the juvenile offenders will consequently be Irish. Now I think there is no reason for our controlling their consciences, and that if the Catholics of Bristol should think proper to establish a reformatory school, the only enquiry of the Government ought to be whether it is carrying out the object intended; and therefore it would be optional with the magistrates to commit children to one school or to another, according to circumstances. Probably you would think proper to consult the parents whether they had any distinct religious convictions on the subject."

We have quoted this evidence of Miss Carpenter, as it proves to our Irish readers that the friends of Reformatory Schools do not wish to render them scenes of proselytism, and are quite willing that each religion should possess a Reformatory School for the young criminals of its own communion, provided the legal requirements be fulfilled. We do not labor, ourselves, to prove this fact, but we know that the Reformatory system, before all others, requires public confidence in its sustainment,

and in Ireland, it must fail to secure voluntary support, unless it be satisfactorily shown that the children are to be reared in that faith to which their parents belong.

Our honored friend, Mr. Recorder Hill, has said that this Religious Difficulty Question is one of little consequence to the criminals themselves: his words are—

"The only difficulty I apprehend exists among those who, like yourself and your class of society, are discussing it. With regard to these poor creatures themselves, they have scarcely any religious differences, and I rather think that if inquiry were made among the governors and chaplains of gaols, the Committee would find this provision for calling in the aid of ministers of other denominations than that of the Church of England, very rarely indeed put in action. The truth is, that the class from which criminals are drawn have no religion at all; they are not divisible into Roman Catholics and Protestants; they are for the most part practical heathens."

He would give them every option as to selection of their religious teachers, but what would be the result of this in Ireland?—Nothing more nor less than continued squabbles, as to whether Father A. had induced Billy Smith to bless himself; or whether Parson B. had tried to make Paddy Murphy eat meat on a Friday

Differences between the chaplains would not be the only evils attendant upon associated schools in Ireland. Parents whose children might be so vicious as to make home culture impossible, would have the right to send them, upon payment, to these schools, as has been frequently done at the Philanthropic, but they would not do so in Ireland, if they doubted the security as to religious teaching in their own creed.

But it will be said, even if all for which we contend were granted, the expense would be enormous; let us, however, hear the Rev. John Clay, and Sergeant Adams, upon this point. Mr. Clay states:—

"Looking to the criminal statistics published by Captain Willis, the Chief Constable of Manchester, and to the details which are given in the Liverpool calendars, and assuming that the ages of transports, generally, are represented in those returns, it would appear that of the 3,100 I have mentioned, 43 per cent. are under 21 years old—1,333; 45 per cent. are between twenty-one and thirty years of age—1,395: and 12 per cent., or 372, are above thirty years of age. Now, it is not taking too much for granted to say that criminals, sentenced to transportation before they reach thirty-one years of age, have commenced their criminal career at a time of life when they should have been learning a better way. But society has *ignored* their very existence. Let us see what society pays for its indifference. Offenders, generally, are not sentenced to

transportation until they have appeared at the bar four or five times. I will, therefore, suppose the expense of between three and four prosecutions, at Assizes or Sessions, to be £50. The average imprisonment of each offender *before* transportation may be taken at three years, and the expense of it at £65; three years' probation in separate confinement, at Parkhurst, or public works, £50; removal to the Colonies, &c., &c., £35; total, £200. So that when 3,000 sentences of transportation are passed in a year, we may consider them tantamount to a notification to the public that a last instalment of a sum exceeding half a million sterling is about to be called for! To be as precise as the nature of this inquiry will allow, the 2,728 convicts under thirty-one years of age, to whom I have already alluded as having run the career of juvenile criminality, represent a cost *waste* of £545,600! But let it be remembered that the felonry of this Kingdom—and whether juvenile or adult, it belongs to this question to consider the fact—is not maintained, while at large, for nothing. Having investigated, to a considerable extent, the rates of income derived by thieves from their practices, and having obtained estimates of the same thing from intelligent and experienced convicts themselves, I believe myself to be within the real truth, when I assume such income to be more than £100 a-year for each thief! Well, then, allowing only two years' full practice to one of the dangerous class previous to his sentence of transportation, I do not know how the conclusion can be escaped that, in one way or another, the public—the easy, indifferent, callous public—has been, and is, mulcted to the amount of more than a million sterling, by, and on account of its criminals annually transported! But its criminals who are not transported—still living on their dishonest gains, or in our costly prisons! We must not forget them in our calculations of the cost of crime, though it will be sufficient for my present purpose merely to refer to them, and to say that I am convinced that their cost to the community *in* and OUT of prison amounts annually to some millions! This assertion may be somewhat startling: I will only state one fact in support of it. Some years ago a committee of inquiry into the annual depredations of the Liverpool thieves stated the amount of those depredations at *seven hundred thousand pounds!* Need more be said on the economical part of this momentous question? Need I ask you to balance between the charge of training the young outcasts of the country to godly and industrious habits, and the waste of money, time, and SOULS, consequent upon our neglect of an undeniable Christian duty?"

Sergeant Adams, however, has given some cases which clearly prove the necessity for the schools, and the absurdity of short imprisonments: the reader too should ask himself, how many of the 12,288 juveniles, *not more than* 16 *years of age*, committed during the year 1853, may not have been as woful cases as those two related by Sergeant Adams thus:

"Thomas Miller, aged 8 years, was tried at Clerkenwell, at the August Sessions, 1845, for stealing boxes, and sentenced to be im-

prisoned for one calendar month, and once whipped. At the January Sessions, 1846, he was again tried at the Clerkenwell Sessions, for robbing a till, and enquiries being then made, it appeared that, in addition to the above-mentioned trial, he had also been twice summarily convicted, and once tried at the Central Criminal Court, during the year 1846. He was in consequence sentenced to 7 years' transportation, but his sentence was commuted to 3 months' imprisonment. On March 14, 1846, he was again convicted of larceny, before the Common Sergeant; and in the printed sessions cases it is stated that the prisoner had been in custody 8 or 10 times. He was again sentenced to transportation, but his sentence was on this occasion commuted to imprisonment for 2 years. He was discharged on May 13, 1848. In July, 1848, he was summarily convicted, and sentenced to 14 days' imprisonment. From that period he has been lost sight of in the Middlesex prisons, until the 4th day of this month (June, 1852), when he was sentenced, under the Larceny Act, to be whipped and imprisoned 2 days. *He is now only* 12 *years of age*, and not more than 4 feet 2 inches in height."

"Edward Joghill, aged 10 years, has not been yet tried by a jury, but he has, *within the last* 2 *years, been* 8 *times summarily convicted*, viz:—

1847.			
Feb. 13.	For possession of 7 scarfs, &c.	2 months'	impris.
May 10.	Rogue and vagabond	1	"
July 10.	Possession of a half-sovereign	1	"
Sept. 13.	Simple larceny	1 day's	impris. and whipped.
Sept. 27.	Rogue and vagabond	2 months'	impris.
Dec. 31.	Simple larceny	1 months'	impris. and whipped.
1848.			
May 23.	Ditto	1	"
1849.			
April 15.	Ditto	3	"

This return relates to the committals of this boy to *one prison only*."

As this topic of expense is one much misunderstood, we shall here insert a table kindly drawn up for us by a friend; it shows the entire,

Estimated cost of maintaining 185 Boys in Reformatory School.

	£	s.	d.
Committal of 185 Boys to prison preparatory to confinement at Reformatory, at 12*s.* each	111	0	0
Conveyance to prison 185 times	52	0	0
Maintenance in prison—185 Boys for one month each 15*s* 6*d.* per month, at £15 per annum	232	10	0
Maintenance in Reformatory—supposing the average spent there by each Boy to be 3 years 185×3—555 years, at £15 per annum....	8325	0	0
	8720	10	0

£15 per annum ought to cover all expenses of buildings and repairs.

See Parliamentary Evidence, Report on Criminal and Destitute Juveniles.

		per head.
Answer 185.	Bath Reformatory School cost per annum	£10 0 0
„ 714.	Steward of Parkhurst supposes gross cost would be	14 10 0
„ 729.	„ „ Nett „	5 0 0
„ 2151.	Captain Williams for neighbourhood of London	17 0 0
„ 2998.	Mr. Whitmore, Manager of large Reformatory at Quatt	14 0 0
„ 3734.	Rev. S. Turner (Red-hill) for number of 300	20 0 0
Appendix 14. Page 498.	J. Playfair states the actual cost of Glasgow Refuge for the year 1852 to be £4,114 2s. 8d. including repairs, interest and all charges	11 8 0
„ 730.	Steward of Parkhurst for the year 1852 gives cost	16 18 8

That amongst the teachers of the Marlborough-st. Training School there are young men fully competant to become masters in those schools is, we are assured, a very certain fact. In our paper entitled, *Reformatory and Ragged Schools*, we gave the Report of a Ragged School, attached to the National Schools of St. Andrew's, Roman Catholic, Parish. The school is directed by a master, who is of the 1st division of the 2nd class of Trained Teachers; it is essentially a Ragged Feeding School, and the Report for the present year is as follows:—

To Rev. J. P. Farrell, Manager and Superintendent of the Andrean Male National Schools, Cumberland-street, South.

Sir,—In compliance with your instructions, I beg to submit, for your information, the following as my second Report on the Andrean Free National School:—

No Change Made.—I have not deemed it necessary to make any alteration in the system which, in my former Report, I endeavoured to convey a rough idea of, as it still appears the best calculated to meet the very peculiar wants of the school. But I do not mean it to be understood from this, that the organization of the school is so perfect as to require no improvement, on the contrary I believe it to be very defective, yet I cannot see, from the experience I have had, how it could be made more perfect without incurring additional expense.

TIME TABLE.

Special Instruction.—

From 9 till 9½—Reading, Spelling, and Explanation.
„ 9½ „ 10—Grammar and Geography alternately.

General Instruction—

Junior Division (1st class). Senior Division (2nd, 3rd, and 4th classes.)
From 10 till 10½, Rolls called—Arithmetic (Practical and Theoretical.)
„ 11 „ 11½, Spelling, Reading, and Explanation.
„ 11½ „ 12, Distribution of Bread, Relaxation in Play Ground, and Inspection in Cleanliness.

From 12 till 12½, Object and Moral Lessons—Writing alternately.
,, 12½ ,, 1, Spelling and Explanation—Arithmetic (Practical and Theoretical).
,, 1 ,, 1½, Arithmetical Tables.
,, 1½ ,, 2¾, Relaxation in Play Ground.
,, 1¾ ,, 2½, Spelling and Reading—Grammar and Geography alternately.
,, 2½ ,, 3, Geography—Writing from Dictation and Conversational Lecture alternately.

Religious Instruction.—
From 10½ till 11, Catechism or Lecture from a Clergyman.

Subjects Taught—First Class:—Spelling, Reading and Explanation; Multiplication Table; Outlines of Map of the World; Object Lessons.

Second Class:—Second Lesson Book (Spelling, Reading and Explanation); Addition, Multiplication, and Pence Tables; Simple Rules of Arithmetic; First Part of Spelling Book Superseded; Elementary notions of Grammar and Geography; Writing.

Third Class:—Third Lesson Book; Compound Rules of Arithmetic, with exercises in Mental Arithmetic; First Part of Spelling Book Superseded, with Rules for Spelling; Maps of Ireland and Europe; Dr. Sullivan's Grammar, First and Second Parts; Writing.

Fourth Class:—Fourth Lesson Book; Arithmetic to Practice, with exercises in Mental Arithmetic; First and Second Parts of Spelling Book Superseded with Rules for Spelling; Principal Maps; Dr. Sullivan's Geography Generalized, two chapters; Dr. Sullivan's Grammar, First and Second Parts; Elementary Principles of Mensuration; Writing.

PROFICIENCY OF PUPILS.

Learning.	*No.*	*Proficiency.*	*No.*
First Book of Lessons	143	Able to read Second Book of Lessons correctly	62
Second ,,	95		
Third ,,	34	Able to read Third Book of Lessons with ease and intelligence	28
Fourth ,,	6		
Grammar	135	Acquainted with the principal parts of speech ...	43
		Able to parse	11
Writing from Dictation	36	Able to write with tolerable accuracy	18
		Able to write with ease and correctness	14
Geography	278	Acquainted with outlines of Map of the World ...	66
		Acquainted with Maps of Europe and Ireland ...	28
Simple Rules of Arithmetic	93	Able to write any number of not more than seven places of figures	84
Compound do.	37	Able to work correctly a sum in Subtraction ...	53
Proportion	5	Able to solve questions such as 37½ yards at 3½d per yard ...	42
Writing on Slates	92	Able to write a fair hand ...	16
,, Paper	37		

Draw-Backs.—The draw-backs on improvement may be ranked

under three heads:—indolence both physical and mental on the part of the pupils; indifference and frequently opposition instead of co-operation on the part of the parents; and inadequacy of teaching power on the part of the school. These are very weighty draw-backs, and so long as one of them exists, much less three, the improvement of the school must be considerably retarded. The immediate removal of all of these is impossible, since the two former are to be removed only by time; and this time will depend on the amount of effective teaching power brought to bear upon the pupils' instruction. The most serious draw-back therefore, is the inadequacy of teaching power, as the others would scarcely be felt if there were a sufficient staff of teachers to meet the wants of the school.

Table showing the number admitted, discharged, removed, and remaining in each of the classes, from 13th February till 30th September, 1854.

Class.	Admitted.	Discharged.	Removed.	Remaining
1	306	241	83	143
2	57	111	18	95
3	16	26	5	34
4	2	3	0	6
Total	381	381	106	278

The number of Admissions and Discharges exactly balance each other, and consequently the number on Rolls is neither greater nor less than the number remaining at the date of the former Report. The greatest attendance for any one day was 303, and the highest average attendance for any one month was 267.

Causes of Removal of Pupils from School—The pupil teachers return weekly reports of their respective classes, in which they state the cause of removal and destination of every discharged pupil. From these returns the following information has been derived. Of the 381 boys discharged,

13 have been apprenticed.
31 got situations as messengers, &c.
17 working with their fathers.
43 Paying for their schooling.
41 Change of Residence.
187 Irregularity of Attendance.
8 Want of Clothes.
8 Died.
8 Gone to the Poor House.
25 Not known.

Total 381

The 13 boys apprenticed and the 31 who have got situations as messengers, making a total of 44, were exclusively taken out of the third and fourth classes, which shows how useful even a little learning is to poor children. Many very respectable parties have applied to me from time to time, for smart intelligent boys who could read and write, and whom I could recommend for honesty. I am happy to say that the children who have been provided with situations through my recommendation are giving the greatest satisfaction.*

Mid-summer Examination—At the midsummer Public examination, the pupils of the most advanced class were examined in Reading, Spelling, Explanation, Grammar, Parsing, Geography, (Local and Mathematical) and Arithmetic (Practical and Theoretical). The ladies and gentlemen who were kind enough to favor us with their presence appeared very much pleased at their proficiency in these subjects. Amongst the number of visitors on the day of the examination, I had the honor and extreme gratification of observing our esteemed Patron, the Very Reverend Dean Meyler, one of the Commissioners of National Education, who is truly an enthusiast in the cause, and an able supporter of popular education. Our venerable Dean spared nothing, that lay within his power, in his efforts to establish an Institution capable of providing for the educational requirements of the immense number of poor and destitute children of both sexes, belonging to his large parish. These schools are daily shedding the blessings of a sound literary, moral and religious education on upwards of one thousand children. To the rere of the parochial church stands this pile of building—a lasting testimony of his earnest solicitude for the well-being, and his indefatigable zeal to ameliorate the moral and social condition of that class of his parishioners, who are morally incapable of making the slightest advance to better themselves.

Inspection in Cleanliness—The children are examined in cleanliness every morning. Some of these little creatures present themselves so filthy, that it is considered expedient to send them home to be washed. The parents of the majority of them are so lazy, and ill-disposed, as to bring them back in the same state, and abuse the teachers, for the unwarrantable liberty, as they say, which had been taken in sending them home; and, in some cases, they have used even threats, for the purpose of intimidation, to prevent the teachers from acting, in any manner, contrary to their own views. If cleanliness were not rigidly enforced, the school should very soon become, in spite of our boasted thorough ventilation, a storehouse of pestilential vapor, threatening the health, and even the lives† of both teachers and pupils. I respectfully suggest

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* Before a pupil is discharged, he must, according to Rule 6, be five successive days absent without making known to the teachers the cause of his absence. The pupil-teachers, in order to save time the next day in making up their weekly reports, send every Friday evening to the parents or guardians of such boys, to ascertain whether they have left the school, and, if so, the reason of their withdrawal. I examine these returns most carefully every week to satisfy myself as to their accuracy, and, should I find even the slightest error, I inflict a fine of one penny on the monitor as a punishment for carelessness. The above figures therefore may be relied on.

† Eight children died within the last three months out of this school, while in the upper school there has not been one death for the last three years.

therefore, that a suitable bath be provided down stairs—the expense is, I am aware, the only objection. Considering the great want of proper means to maintain cleanliness, and consequently health, in a school of this description, and the beneficial results which must accrue, from training children to habits of industry and cleanliness, I entertain no doubt—notwithstanding the inadequacy of the funds of the Institution—that you will, with your wonted alacrity, have this suggestion carried into effect, with as little delay as possible.

Distribution of Bread—There are three Bread Divisions. Children 12 years of age and upwards constitute the first, those between 8 and 12 years the second, and the remainder the third. Each child of the first division is allowed a fourth, each of the second a sixth, and each of the third an eighth of a 2lb. loaf. The loaves are cut up, by one of themselves, before the general business of the day commences, so that it does not interfere with ordinary business, by attracting the attention of the children from their lessons. This boy receives, as remuneration for his services, as much bread as he is able to eat, and no more. At the proper time, one of the paid monitors stands upon the desk, and, having rung the school bell for silence, orders the special-class monitors to head their classes, and lead them round to their bread divisions. This is performed, like their other evolutions, by marching in a single file, keeping the step, with their hands behind—the first boy of one class falling in after the last boy of the class going before his. When all have arrived at their proper places, the bread press is thrown open, and the first division marches round to the press. As each boy passes, he takes what he knows to be his share of the bread. The other divisions march, and are supplied in the same manner. Sometimes the passage is obstructed by a child trying for a large cut. When this occurs, the superintending monitor rings the bell, which causes all to stand and observe silence, and directs the disorderly boy to lay down the bread he had taken, and to join the children of the next lower division, as a punishment for the confusion he was the means of creating. The time which the distribution of bread takes, is about 8 minutes.

This is the happiest part of the day. Children acquiring habits of order, regularity, and prompt obedience, who, were it not for the bit of bread they receive, would be begging in the public streets, and probably would, in time, have recourse to more disreputable means of making out a livelihood; and, as a necessary consequence, compel the state to take them up, for injuries inflicted on the public, and make the public provide for their support in a prison. How blind must the public be, to their own interests, to refuse to contribute to the trifling support of an Institution, depending in a great measure on public charity, and calculated to benefit the public so much, by saving them, not only the expense which they must pay for the support of thieves and robbers, but, by protecting them, more securely than any police force, from the incursions of these pests of society? Ignorant creatures are taunted and despised, by their more enlightened brethren, for the sad effects of their improvidence; in this case, ignorance pleads most powerfully in their behalf, but where there is improvidence, without ignorance, the crime is much more reprehensible.

*Distribution of Overalls.**—On the last Saturday of every month, the class rolls are examined, for the purpose of making out a list of boys, who had not absented themselves a single day, during the entire month.

* These are provided out of a fund in the hands of Rev. Mr. Farrell, collected by himself from charitable individuals.

The pupils on the day for the distribution of overalls, are so arranged, that the youngest child has a full view of everything which takes place. This list is read aloud, and each boy, as he hears his name called out, stands up and proceeds to the place, set apart for those whose names have been taken down, for regularity of attendance. Each of these children is next examined, as to the other qualifications necessary to entitle him to an overall. Those who are fortunate enough to pass this subsequent and searching examination, after being congratulated on their success, are permitted to go to the press, in which the overalls are kept, and take their time, in choosing the very best fitting garments amongst them. As soon as all are fitted, they are led before the others, with all the gravity which the importance of the occasion requires, and are told, distinctly and loud enough to be heard by all, that they have gained the esteem of their superiors in the school, which they should feel very proud of, and, that these articles of dress, which they have just put on, so long as the are in wear, instead of been looked upon as mean or contemptible, must be regarded as a badge of honor, by those who know the laudable means, which had been adopted to procure them.

Formerly the overalls were distributed amongst the most ragged, because they were the most ragged, without having in view any other object than to "clothe the naked." The effect was an endless number of fully qualified candidates. Old coats, waist-coats &c. were either cast off altogether, or sold to rag-men for sugarstick. And, a child who received one had little chance of possessing it very long time, for his unfortunate mother, or some senior relative, knowing how easily another might be procured, was almost sure to take it from him, and have it sent to the pawnbrokers; so that instead of effecting the meritorious object, for which they were intended, their distribution proved a fruitful source of scheming, laziness, and hypocrisy, and there was nothing but dissatisfaction—parents and children—those who got them and those who did not. The case is now different. Every boy sees, before his own face, that it is out of the question to expect an overall, no matter how ragged he may be, unless he attend school every day, conduct himself with propriety, and become cleanly in his habits—no other road is open to him—he must do without one until he has worked for it and has honestly earned it. Thus children, apparently so dead to every good and amiable quality, can be led, from their perverse ways, to follow such a line of conduct, as will greatly conduce to their own temporal and eternal welfare, as well as prove a boon to society, to which in all probability, they would become pests, if allowed to grow up in that state in which they had been thus far brought up, by their ignorant parents. Of course, I do not mean it to be understood, that this or any other system, can do more than *contribute* to a reformation, without the all-powerful aid of the Gospel.

Grammar and Geography.—The methods employed, in teaching Grammar and Geography, are in strict conformity with those set forth in the begining of Dr. Sullivan's invaluable works on these subjects, to which works I respectfully beg to direct your attention. I consider it unnecessary, therefore, for me to enter on a detailed account of the manner in which these subjects are taught, as such will be seen, by referring to the above mentioned works. The proficiency of even the best pupils, in these branches, notwithstanding the pains that have been taken, falls short of what should be expected, from pupils attending a school efficiently conducted. But the cause of this is easily understood. It is comparatively easy to make children, whose minds have acquired strength

and capacity, from constant and regular exercise of the mental faculties, understand a lesson in Grammar or Geography. But these children, being most of them the offspring of ignorance and depravity, have never heard anything calculated to awaken thought; on the contrary, the vices which they have learnt from the many bad examples constantly before their eyes, have, in fact, stunted their mental growth, by taking up the place, which ought to be occupied by the natural enlargement of mind, which early judicious training gradually developes.

Monitorial Instruction.—The subjects entrusted to the instruction of monitors, are Reading, Spelling, and Arithmetic. Pupils unable to read are taught Spelling and Reading from cards or tablets, hung on the walls, at a proper height to be seen by the children. The other boys learn to spell and read from their respective lesson books. In the former case, the pupil-teacher or monitor stands at the end of his class, with his right shoulder facing the wall, so that he can have a view of his whole class, and, at the same time, have his eye to the card, and be able to detect the mistakes made by the child engaged at the lesson. Should no boy in the class be found competent to correct another's mistake, the monitor himself does it, but when this is not the case, which is ascertained by giving the question round to the class, the pupils themselves correct each other. This keeps up the attention of the class, as each boy feels an eager desire to excel his companions, and, as the child engaged at the card knows, that his class-fellows are on a sharp look out for his blunders, he is likely to bring his whole attention and energy to bear upon the lesson, for the very spirit which impels the others, acts similarly on him. In this way the children are actively, though silently, employed at the same time, and the teaching is rendered to a great extent collective—an object of primary importance, in class teaching or simultaneous instruction.

In teaching Arithmetic, the monitor stands in the centre of the class, and reads slowly, twice over, the question to be wrought. When the majority of the pupils have done the sum, the monitor gives the order to show slates, he then examines each boy's work, and sends those right, to the head of the class, to whom he dictates another question. While these are working the second, he explains the first one to those who were unable to do it, by means of a black board and a piece of chalk. By this time, the boys working the second sum are ready to present their slates for examination, but, even if there should be found on examination some boys working this question wrong, it is not to be explained as before, it being one which could be done, with moderate attention, by a boy who was competent to work the first question. All now commence as when beginning. It will be perceived, therefore, that only the first, and every alternate one, in which the pupils fail, require explanation.

Conversational Lecture.—To compensate in some measure for the absence of early training, I eagerly embrace every opportunity of bringing their reasoning powers into play. For this special purpose I devote half an hour every alternate day to a conversational lecture in the Gallery. At this lesson each child has an opportunity of asking any question he pleases, or of giving his opinion on whatever matter is under consideration. At first indeed they were ashamed even to speak, but after a while the bashfulness disappeared. This mode of imparting instruction is attended with excellent results. Besides the practice it affords the teacher of drawing out and moulding the minds of his pupils by eliciting enquiry, it brings the children on gradually to express themselves on any subject with which they are acquainted, with ease and facility, and on the other hand, as the principal subjects of conversation are those which relate

to Christian virtue and morality, their minds become stored with information, which must prove of incalculable service to them in after life.

Writing from Dictation.—Having supplied each boy in the class, with slate and slate pencil, a portion of a lesson, in one of the reading books, is read very distinctly by the teacher, and just as slowly as the pupils are able to write it down. When the time for this lesson has half expired, the correction commences. This is generally conducted in the following manner:—the first boy spells the first word on his slate, loud enough to be heard distinctly by the remainder of the class, the second boy spells the next word, in the same manner, and so on, till all has been finished—the bad spelling being corrected by the teacher. A boy, when he perceives that he has written a word with incorrect orthography, does not entirely erase it, but draws his pencil through it obliquely, and writes the word, with correct spelling, immediately over it, in order that the difference between his accustomed way of writing the word, and its appearance with correct spelling, may be most striking. These exercises are transferred to paper at the ordinary writing lesson.

The number engaged at this useful exercise is comparatively small, between 30 and 40, owing to their want of writing small-hand sufficiently well, but this is only a temporary check, as the number of small-hand writers is daily increasing.

Why Grammar and Geography ought to be Taught.—Some persons, amongst whom may be classed educated men and even teachers, profess some contempt for those who think it useful to introduce Grammar and Geography into schools of this description. They say, and with truth, that of all the children attending even regularly to school not more than ten or twelve per cent. acquire a practical or a really useful knowledge of these subjects, and that it is extremely short-sighted to lose so much time in teaching branches of which nearly all remain perfectly ignorant. But the time is not lost. Although only a small fraction of the pupils arrive at such perfection in Grammar as to merit the title grammarian, yet the exertion of the mind in its efforts, however feeble, to understand even the most elementary parts, is well calculated to draw the mental powers gradually into vigorous action, and from this constant exercise the mind becomes stronger and stronger, and day after day more fully developes itself.

Religious Instruction.—All the children are Roman Catholics. They are instructed every morning in the Christian Doctrine by the special-class monitors, superintended by the teachers, whose duty it is to see that the classes are taught according to a method recommended by the Rev. Mr. Barry, who explains the Catechism, and examines the children in it himself twice a week, and who uses his best endeavours by his able lectures to make them frequent the sacraments regularly. Religious training is the great moving power, by which alone can be effected a true genuine moral reformation, and on which is based the whole system of teaching and training adopted in the school.

In conclusion, permit me to return my most sincere thanks for your kindness and attention towards me at all times, but more particularly for your earnest and efficient co-operation, without which it would be impossible to surmount the many obstacles daily to be met with, and to which the success of the school is almost entirely to be attributed.

I have the honor to be, Sir,
Your obedient servant,
EDWARD MCGAURAN.

1st Nov. 1854.

This is simply a Ragged Feeding School, and has, we regret to state, no Industrial training, owing to its limited means of support, to offer to its pupils; yet by care and tact upon the part of its master, most satisfactory results have been produced, even though the scholars come, in most cases, from the meanest and most ignorant, perhaps the most vicious, of our poor. The Lurgan-st Ragged School, to which in our last named paper we referred, has also done good service; and when it is remembered that these Schools aim only at keeping the children from the streets, and teaching them the very lowest branches of information, one regrets that larger funds and some greater legalized power over the pupils, is not possessed by the managers. Referring to schools of this class Mr. Connellan was asked, by the Committee of 1853 :—

4260. Where do those great masses of children without parents or homes, to whom you have alluded, usually find lodging, or pick up their maintenance?—In Dublin (which is the only place where they are very numerous), they live in miserable lodging-houses. There is not at all the same amount of debauchery (if I may use the phrase,) among the juveniles of Dublin which is to be found in London; there are no penny theatres or low places of amusement; it is not the sensual life which is led in London; they live in cellars, and the only amusement they have, as far as I can learn, is gambling.

4261. And that probably is the produce of thieving?—I fear so. There are ragged schools now established in Dublin; they are of recent institution; and as far as they have gone, have worked well. I was the other day at one of them, and I was surprised to observe the great attention and orderliness with which boys, two-thirds of whom were probably thieves, were attending to their lessons; and at three o'clock many of these boys are turned out into the streets to thieve, and to pass the night in one of the cellars which I have described.

4262. *Chairman.*] Are they on the feeding principle, like those of Aberdeen?—They are given one small piece of bread. It shows that these boys are very reclaimable, if they voluntarily spend five hours a day in study and subordination which would generally be very irksome to a young thief. It can hardly be imagined that they are bribed by a single piece of bread, for they could steal the value of that without much difficulty,

4263. Mr. *J. Ball.*] Can you mention any ragged school to which you allude particularly?—The ragged school in Lurgan-street: and my sole reason for visiting that in particular was, that it has the greatest number of pupils. There are nine ragged schools now in Dublin; and I was informed by the police (the commissioners having allowed me to ask the inspectors to furnish me with a return of the daily attendance) that at these schools there are 664 pupils.

4264. *Chairman.*] That is the aggregate attendance at the whole of them?—Yes. Many of them are of recent institution; and some

of them, I believe are in existence only a few weeks. They undoubtedly have the effect of keeping the boys out of the street for a certain number of hours in the day.

4265. Mr. *Adderly.*] You propose, by way of testing the system, that one or two such institutions should, in the first instance, be established?—Yes.

4266. Of course there must be an adaptation of the law to those institutions; how would you obviate the difficulty, during that transition state, of the law being differently administered in different parts of Ireland?—It would be a difficulty, unless you gave to every judge on every circuit, and to every assistant barrister in each county, the power of committing to this single central prison.

4267. Mr. *J. Ball.*] Would you recommend that the judge, or assistant barrister, should have the power of sentencing juvenile prisoners to such an institution if there were accommodation, and otherwise to give the option of imprisonment in the ordinary way during the transition period?—That would meet the difficulty.

These observations apply to the St. Andrew's and Lurgan-street schools with equal force, and we beg the attention of the Managers, or patrons of these schools to the following notice of, and Memorial from, the Managers of the St. James's Back Ragged Schools, Bristol, as forming a most admirable model, and most suggestive of the course to be adopted by our Dublin Schools. The St. Andrew's School is not, we believe, very much in debt, but by the *Report* of the Lurgan-street School for 1852, it appeared that the Institution was £329 : 8 : 0 in debt, showing a deficit, on the year's income, of £41 : 9 : 11.*

With these evidences of the necessity for pecuniary aid, with the evidences of usefulness furnished by the *Reports*, and with claims strengthened by the opinions of a Prison Inspector as to their satisfactory working, we are of opinion that the Memorial which we subjoin should be generally adopted by these institutions; the Record and Memorial are as follows:—

St. James's Back Ragged School, Bristol.

"This school, commenced August 1st, 1846, may be permitted an especial notice, because it is probably the only one in England, which being restricted to such children as are prevented by vice or poverty from attending any other school, has been striving for the last six years to fulfil the conditions imposed by the Committee of Council on Education, in order to obtain government grants.—Children as low and degraded as can be found within the walls of any

* For an account of the various Ragged Schools of Dublin, see IRISH QUARTERLY REVIEW, Vol. IV. No. 14, p. 386, 424.

school may be seen here, yielding to a firm but kind discipline. In the Morning Juvenile School, there are about 80 boys and girls; in the Infant department above 100. In the Afternoon School, which is Industrial, are classes for tailoring and shoe-making. The Evening School is for boys and girls who are occupied during the day, or otherwise unable to attend except at night; during the winter there are usually 40 boys and as many girls; on especial occasions not fewer than 300 boys have assembled from the different departments of the school, proving how many of a very low class are thus being brought under some degree of moral influence. Yet this school remains almost entirely unaided except in the industrial department, because the government requirements have not yet contemplated the wants of this class of children, who are more than any other in want of educational provision, both for their own sake and for the welfare of society. The following Memorial has been proposed by the Committee of this school, and it is hoped that others will second the prayer it contains.

Memorial of the Managers of the St. James's Back Ragged School, to the Committee of Council on Education.

Sheweth—That this School has been visited by your Lordships' Inpectors for six years, and that favorable reports of its condition have been regularly presented by them.

That the Managers have used every effort that lay in their power to fulfil the requirements made by your Lordships for the awarding of various subsidiary grants, and to bring the school, as nearly as possible, in an educational point of view, to the status of the British and National Schools.

That they have failed in these efforts to a great extent, partly from circumstances connected with the condition of the families of the scholars, which present difficulties that must always necessarily exist in a school of this kind, and thus lower the educational status, and chiefly from the want of an effective staff of monitors, to look to the condition of the children, and their consequent irregular attendance when at an age to be so employed, and regularly trained.

That the last mentioned reason always presented a difficulty in the selection of pupil teachers from the ordinary attendants at Ragged Schools; nor indeed would it be your Lordships' desire to select the teachers of the next generation from among children whose early training, both moral and educational, has been so defective

But that during the last year your Lordships have granted to this school two pupil teachers, being young persons of a superior class who presented themselves as candidates. The assistance rendered by these to the school is very valuable; but the experience of the past year proves to the Managers that though there is every reason to believe that the condition of the school would be very greatly improved by an increased number of valuable monitors, yet that such increase cannot be anticipated, first, from the difficulty of finding suitable children; *secondly*, because, from the nature of the school requiring much miscellaneous work, the pupil teachers find it very difficult to pursue their studies to the extent required by the

minutes; and *thirdly*, because the master of such a school cannot give the requisite time to the preparation of the pupil teachers, without neglecting that extra moral superintendence of the scholars which is essential to the true success of such a school.

The Managers therefore pray,—That your Lordships will grant to this and similar schools *paid monitors*, of approved moral character, who may be articled to the master for two, or for three years, not younger than 10 years of age, with a salary of from 1s. to 3s. per week, the educational requirements being of such a nature only as would be necessary for their teaching in the school, and bring them at the end of the time to the position of candidates for the office of pupil teacher.

Such an arrangement would greatly benefit the *school* by securing efficient monitors, the payment holding out an inducement to the more intelligent to *continue* under regular training; it would secure to the monitors themselves an education which would render them better qualified for their future occupations in life, and in case any child evinced peculiar adaptation for the office of teacher, this previous training would enable him to discharge the duties of pupil teacher with greater facility and satisfaction both to himself and the master.

Trusting that your Lordships will duly weigh the prayer of this Memorial, the Managers subscribe themselves, with respect, &c."

Amongst the voluntary Reformatory Schools of England, and one the example of which is most useful in its adaptability to Ireland, we must place in the first rank the Reformatory School at Kingswood, near Bristol.*

The Record of this School is as follows:—

"The Kingswood Reformatory School is in a promising condition &c., the past good results under peculiar difficulties give great hopes of future improvement. The numbers have hitherto been kept low in consequence of an unavoidable change of masters, but the managers now feel able to admit gradually new scholars sent under the Act 17, 18, Vic. cap. 86.—It was resolved by the managers at the end of October no longer to receive girls into the School, those still remaining being transferred to the Red Lodge. It is the general remark of visitors, that they never saw a healthier or happier set of boys, and their moral condition is almost equally satisfactory, no tendency to thieving appearing, even the neighbouring orchards having remained perfectly safe" †

* For an account of this, and all the chief English Schools of its class, see IRISH QUARTERLY REVIEW, Vol. IV. No 15, page 746 to 754.

† This latter evidence of attention *both* to Reformation *and* to health is most satisfactory, as it proves that Kingswood is not open to the observation made recently by a lady whilst visiting a continental Reformatory, in which every thing was progressing admirably excepting Reformation: the tillage, the apartments, the out-offices, all were in excellent order—but the statistics of Reformation were not at all excellent—"What a charming Institution this would be," said the visitor, "if they took as much care of the pupils as they do of the pigs!"

The position of the School, and the proofs of usefulness by which its claims to enrolment under the *Youthful Offenders Act* appear, are thus recorded, in

Answers to Government Inquiries made by J. G. Perry, Esq. H. M. Inspector, respecting Kingswood School, with a view to granting a certificate, September 22, 1854.

I. *Daily Routine?*—6 o'clock, rise; private prayers; wash and dress. Half-past 6, School; 8 o'clock, breakfast and family prayer with reading of the Scriptures, and singing hymns; 9 o'clock, labour, chiefly agricultural; shoemaking, tailoring, and shoemaking also taught. Three-quarters past 12, washing. 1 o'clock, dinner and play. 2 o'clock, labour. Three-quarters past 4, washing. 5 o'clock, supper and play. 6 o'clock, school and prayers. 8 o'clock, bed.

Secular Instruction?—Reading, writing and arithmetic; the simpler elements of geography, and such general instruction as would be useful in the ordinary business of life, or enable the children to understand common books.

Religious Instruction?—Daily reading of the Scriptures, with explanations by the master; singing hymns; and especial religious instruction on Sunday.

Attendance at Divine Worship?—Twice on Sunday at the Chapel on the premises, which is rented by the Wesleyan Methodists.

The instruction and general routine of the girls is similar to that of the boys; they are occupied in housework, needlework, washing, &c., for the School.

II. *Extent of land belonging to the School?*—12 Acres.

Proportion in Cultivation?—About 3 acres in garden ground.

Whether partly under agricultural tillage?—Part of the 12 acres is occupied by a farm yard, a large playground, and the various buildings; the remainder is at present grass, and is rented out until an increase of numbers shall render it desirable to cultivate it.

III. *Number of children of either sex that have been received since the opening, September* 15, 1852?—40 boys; 15 girls; of whom 3 boys and 5 girls have been on conditional pardon.

Number who have died?	*Boys* 0	*Girls* 0
Number who still remain?	,, 16	,, 7
*Number who have escaped?**	,, 4	,, 0

* These all escaped during the last 4 months, and the master has been dismissed. Of these, 2 who had been only a couple of months in the School, were shortly after committed for burglary, and are now in Winchester Gaol; they are very anxious to be re-admitted to Kingswood School on their discharge;—1 has returned to his native town, where he is under magisterial observation; he appears sorry for the step he has taken;—1 who had been about 3 months in the School after 5 imprisonments, is now at large, certainly living by theft, and has not been discovered; a warrant has been taken out against him for the School clothes, with a view to find and try to save him. Had the managers had legal detention of these boys, it is most probable that they might now have been in the School.

Number who have been expelled? ...	*Boys* 1	*Girls* 0
*Dismissed on account of repeatedly absconding?**	,, 5†	,, 0
*Sent away at their own wish after 2 months?**	,, 2‡	,, 0
Restored to respectable friends in a satisfactory condition?	,, 4	,, 0
*Withdrawn by friends?**	,, 1	,, 3§
Emigrated under suitable escort?	,, 5	,, 1
Sent to sea and apprenticed?	,, 2	,, 0
Placed in situations?	,, 0	,, 4
Remaining?‖	,, 16	,, 7
	40	15

Regulations approved by the Kingswood School for the guidance of the boys.

The boys who come to this School must remember that they do so, in order to enable them to be honest and industrious members of society in this world, and to prepare them for another and a better.

To effect this, the labour and care of their instructors and friends will be of little use to them, unless they earnestly strive also to improve themselves, and endeavour at all times to obey God's commandments, "not with eye service, as men pleasers, but as fearing the Lord."

In addition to the laws of God which are contained in His Holy Word, every boy is required to attend strictly to the following rules.

RULES.

I. No boy is to go beyond the boundary without a pass. No boy must go into any part of the premises not used by the scholars without permission, nor into the parts used by them at improper times. Any boy passing the boundary without leave, will be considered guilty of a serious offence, and any boy who absconds to Bristol or elsewhere, must, on returning, not be permitted to associate with the rest of the School, without the consent of one of the Visiting Managers, when he must be considered as newly admitted, having lost by his absconding all his former privileges and property.

II. Strict obedience must be paid to the Masters and all Teachers; respectful attention to superiors, and kind consideration to companions.

III. Swearing, profane language, low and vulgar language, and nicknames, are absolutely forbidden.

IV. Fighting and violence of all kinds are forbidden.

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* These 11 might have been retained until prepared to earn an honest livelihood had there been legal detention of them.

† The friends of these boys, residing in Bristol, it was found impossible to exercise proper control over them, while continually absconding to them, and this could not be prevented without legal detention. Of these, 2 are now at Hardwicke, where they are doing well; the other 3 are trying to live by labour, which they never did before.

‡ These boys have been leading a life of crime ever since, except when in prison.

§ Two of these girls were much older than was anticipated, and had been repeatedly imprisoned in Liverpool Gaol. They were notoriously bad characters, and having been only eleven months in the school, their fall was to be anticipated when they returned to their bad companions, which there was no means of preventing them from doing.

‖ The total number now, November, 1854, is 18.

V. No boy is to possess any money without the knowledge of the Master.

VI. Care must be taken of the property of others, and of everything used by the boys, especially of clothes, books, tools, &c.

VII. All wilful and careless injury or destruction of the School property must be paid for from the boys' pocket-money.

VIII. There must be no waste of food, and no concealment of this or anything else.

IX. No letters must be sent or received without the approbation of the Visiting Manager, nor must any books or papers be introduced into the School without their sanction.

X. Whoever knows that these rules are broken without informing the Master of the same, becomes himself an accomplice, and must expect to share the penalty of such offence.

Thus it will be seen, that if the *Youthful Offenders' Act* were extended to Ireland, some of our present Ragged Schools could, with the powers and aid which the Act would give, be rendered excellent Reformatories.

Of the girls' school referred to in the above Record, we have the following statement :—

"THE LODGE GIRLS' REFORMATORY SCHOOL, BRISTOL, Commenced Oct. 10th, 1854.

Within the last two months a large, airy, commodious house and garden in the outskirts of Bristol, was purchased by Lady Noel Byron, for the purpose of its being employed as a Girls' Reformatory School, to be carried on under the superintendence of Miss Carpenter.* It is calculated to hold 50 girls. There are at present 8, and as soon as the school is certified under the new Act, more will be received."†

We have made this paper rather an argument for the extension of the *Juvenile Offenders' Act* to Ireland, than strictly a Record of the proceedings of the Quarter; in all succeeding numbers we shall confine ourselves to a simple Record, with merely such short commentaries as may seem necessary to promote a clear knowledge of the effect and force of the returns; but we make no apology for the form of our present paper, as it is designed to render each of the necessities of Ireland,

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* This is only one of Lady Byron's many acts of munificent charity. At the Birmingham Conference of 1851, Mr. Recorder Hill stated, that he was authorized to offer, anonymously, £200 for the best essay on Juvenile Delinquency, and Reformatory Schools. Two, of 28 essays sent in, were considered of such equal merit, that the donor of the prize —Lady Noel Byron, added another £100 to the £200 already offered, and £150 were assigned to each of the successful competitors.

† See "Two Prize Essays on Juvenile Delinquency." London: Smith, Elder and Co. 1853

arising from the want of power to check juvenile crime, plain to all, and whilst performing this task, showing from the best authority the opinions held by those who are most capable of judging of our position, and the facilities afforded in Ireland for fully carrying out the provisions of that Act which Mr. O'Hagan has so ably analysed, and of which its earliest suggester, Mr. Recorder Hill, thus spoke, in his *Charge* to the Grand Jury of the Birmingham Michaelmas Sessions of 1854:

"The next great principle established by this Act, is that the State, while it assumes as it ought to assume, the parentage of the child, neglected or perverted by those who have brought him into existence, has a right, and is called upon as a duty, to prevent the father and the mother from creating for themselves a benefit out of their own misconduct. To this end the Act invests the Court which consigns the child to the Reformatory Institution, with authority to impose a weekly payment for its sustentation on every parent, able to contribute to its maintenance. Doubtless, in many instances, this authority will be inoperative, by reason of the poverty which the parents may have brought on themselves by indulging in vice and indolence, or which may have fallen upon them by some calamity for which they are not responsible. But no pains must be spared to prevent the parent from throwing off a burden imposed upon him by every Law, human and divine, under any pretence, however specious.

The third great principle sanctioned by the Legislature in this Act, is that of Voluntary Guardianship. In various parts of this country, as in others, earnest and benevolent men and women have already taken upon themselves the duty, hitherto neglected by the State, of reforming Juvenile Offenders. They began, and they persevered in this noble enterprise, under circumstances of all but insuperable difficulty. Their control over their young Wards not being recognized by Law, they have had to depend upon their power over the hearts of such of these poor, ill-trained, wayward, and rebellious children and youths, as they could persuade to remain under their care and guidance. And when we consider that the end in view is to change the aspirations and the habits of the pupil—to make him hate that which he has loved, and love that which he has hated,—to induce him to submit to wholesome control, instead of indulging the caprices of an unbridled will—to become laborious where he had been indolent—and to abstain from all gratifications inconsistent with his position, and consequently not merely from those condemned by religion and morality, but also from such as are too expensive for his narrow means and expectations, or dangerous from their tendency to dissipate his attention from the imperative duty of learning the art of self-support, we shall feel that these faithful Guardians imposed upon themselves a labor which demands for its endurance a philanthropy the purest and the deepest; one perpetually to be urged forward and solaced by Christian zeal and Christian hope.

Remember, Gentlemen, when you estimate their toils, that neglect and ill-usage had sealed up, as it were, all inlets to the confidence and affections of those outcasts,—that proffered generosity would excite suspicion, and that the objects of this high benevolence would at first be engaged in casting about to discover sinister motives hidden as they believed under such a display of compassion. True it is, that

this coldness after a time thaws under the genial warmth of a kindness, which the young person finds by experience, has no motive except the desire for his good. But the conduct of this experiment is not the work of a day, and it has been consequently found that the hard problem to be solved, is how to retain the recipient of the benefits of good training, until he can be convinced that he is under treatment which has his welfare for its object, unadulterated with any taint of selfish interests. That examples without number can be adduced, both at home and abroad, in which these distressing impediments even under their most aggravated forms have been overcome, is now an indisputable fact, but that the proportion of failures would have been far less, had a power of legal detention been conferred on the managers of private Reformatories cannot be doubted; and this power, by the provisions of the Act under consideration, they will now possess.

Let me, however, pause for a moment to explain why I do not consider the absence of such power up to the present time as altogether a misfortune. And I am of this opinion, because the absence of coercive authority concentrated the aims of experimentalists, endowed with the richest gifts, intellectual and spiritual, upon forcing a passage to the human heart, even in its most depraved state; and of bringing vicious habits and the mutinous will under subjection, with no weapons but those furnished by faith, by charity, and by good sense. The efficiency of these weapons has thus been manifested to an incredulous world, too prone to fly to coercion as the sole expedient; whereas we have now abundant proof, that it should only be called into action as a last resort, and even then employed with reluctance and reserve. And no doubt, caution and forbearance will be requisite hereafter, lest too much reliance should be placed on the legal control which the Act supplies. The walls of the Gaol have not only kept the bodies of prisoners in durance, but have had a somewhat analogous effect on the minds of gaolers, confining them within the narrow routine of a discipline, whose only resources are pain of body or of mind. As Reformatories will not be surrounded by walls, the reliance on force never can approach the degree to which it has attained in prisons; but should force ever come to be regarded as a substitute for an alliance with the will and the affections of the patient, sound cures will cease to be wrought. For as the discipline of the Reformatory is of no avail unless it fructifies into good conduct in the after-life of the Ward, when its restraints and artificial motives are withdrawn, so the object of the Conductors must continue to be, first, to make the Ward or patient desire to do right, and then to give him habits of industry and self-government which shall enable him to act up to his convictions.

And this brings me to the last, but, in a practical sense, the most important topic of my Charge. The Legislature has now placed Reformatory Schools established by Voluntary Societies among the recognized Institutions of their country, and is ready to bear the expense of the board and instruction of the inmates; or at least so much of that cost as cannot be exacted from the parents. In furnishing us with these provisions, it has offered us most important facilities to the multiplication of such establishments. And this is all that can be done without infringing on the voluntary principle, which is wisely kept sacred from intrusion."

We cannot, in the present quarter, enter into a Record of the progress of the amendment of Prison Discipline: indeed our friend who has written on "Convict Systems, Past and Pre-

sent," has very fully analysed the subject. With regard to the "shot-drill" advocated by Mr. Corry Connellan, we understand that that gentleman does not contend that the "drill" is to be used generally by well conducted prisoners, who are confined for long periods. We have reason to state that in some gaols using the "shot-drill Mr. Justice Perrin has expressed himself dissatisfied with it, but so long as Gaols are mis-ruled, as many of the Irish prisons are; as long as prisoners are committed for short periods of confinement; as long as Irish Grand Juries refuse to allocate funds for the payment of proper and efficient gaol schoolmasters, upon the principle expressed in the words of a Grand Juror—"What the devil is the use of teaching the blackguards to write threatening notices"—as long as these things continue, so long must the "crank" and the "shot-drill" be used—and so long must the philanthropist lamenting, exclaim with Mr. Hill, "What is the waste of gold or of precious stones, or of any earthly wealth, compared with the waste of human suffering." Extend the Separate System of imprisonment, make it such a system as Mr. Field has shown it can be rendered. Upon this point we think it desirable to give the evidence of Mr. Field, as contained in a subjoined letter. The six years' experience which he has known since the publication of his admirable work on Prison Discipline, have served to strengthen his convictions, as to the excellence of the system, expressed in the work just named. The Rev. Mr. Geare, Chaplain of Abingdon Gaol, made his annual *Report*, to the Justices assembled at Abingdon last October, in the following terms:—

THE CHAPLAIN'S REPORT OF ABINGDON GAOL.

County Jail, Abingdon.

MY LORDS AND GENTLEMEN,—I would willingly have spared your valuable time the few minutes I shall occupy it, by forbearing to make any Report beyond a few statistical tables, had not the number of committals to the two County Jails this last year so confirmed my own observations as Chaplain on an important point, that, to be silent upon it, would condemn me of a dereliction of duty; neither must I be deterred from so doing, though I lay myself open thereby in the opinion of some to the charge of intruding upon the office of the legislator and magistrate.

It may be seen that the committals to the gaols of Reading and Abingdon for this year considerably exceed those of any former year for the last twelve years, with the exception of one year when provisions were at an almost famine-price. No doubt the comparative dearness of bread, for some months of the year preceding, may

be accepted as an explanation in part of the painful fact just stated; but the real and prevailing reason for this, I conceive to be that, a prison in this county presents less and less "a terror to evil doers." My experience as chaplain has forced upon me this conclusion. If the majority, or even a considerable part of our prisoners, were persons of cultivated minds—keenly alive to a sense of shame, the mere circumstance of confinement within prison walls would of itself be an infliction of bitter punishment, sufficient to effect the object of all penal sentences—the reformation of the offender, and the prevention of crime by way of warning to others. But in taking our estimate of criminal population, we must come down in almost every instance to the lowest possible scale of social life; on the feelings of such an imprisonment of a few weeks, such as its discipline now is, very rarely produces any permanent effect; it presents nothing revolting to them, neither while they are undergoing it, nor in the retrospect of it; it fails, therefore, to operate afterwards as a restraint from crime; hence it is, that having no gloomy or painful recollection of former punishment, they are nearly indifferent as to the risk of a second or third. This, I think, will explain the fact of the *re*-committals being nearly one-fifth of the whole amount; and also, in part, the increase of the number of vagrants imprisoned—it being 65 this year as compared with 29 of the year preceding.

It may be asked, in the face of such returns, have the Chaplains been doing their duty? But I beg respectfully to submit to your honourable bench, that too much is expected of the Chaplain, especially in the case of short commitments. My meaning is this,—daily experience confirms the Scripture testimony, that even in ordinary classes of hearers, a comparative few only will be led to act under the direct and immediate influence of divine truth; they generally do so from mixed prudential motives; how very few then must we expect to find so actuated from amongst the inmates of a gaol. A general impression indeed may be made on their minds, but this *of itself* is worthless as to any enduring effects; if, however, in aid of this impression a real dread and horror of imprisonment could be brought to bear, the combined influence might indeed produce an effect not to be effaced but by some very strong temptation.

The recollection of a prison should, I conceive, be such as to make them shudder at the thought of re-entering it; others, too, among their friends and neighbours, hearing their description of it should, and indeed would, dread almost the very sight of it. There is much wisdom in investing even the external appearance of a gaol with gloomy horror. And if the discipline and treatment within always involved great discomfort and real hardship (especially for short imprisonment) we should find the number of committals, I believe, decreased as soon as the change became known. Severity in such cases is the greatest kindness: its tendency to irritate, it will be for the Chaplain to strive to neutralize by constant addresses to the inmates, pointing out to them by their own sad experience, the close connection that ever exists by the divine appointment between sin and suffering. As the system now holds, I have had, in the instance of almost every prisoner, to labour to create a feeling of pain, to persuade the man

that he *is* suffering at all, by striving to awaken a sense of shame. In many cases I have failed altogether; in some I have drawn the acknowledgment that they don't like to be shut up; but some have openly said that "they enjoyed themselves very well."

However pleasant their expression of comfort may be for the officers, it may well be questioned whether this is likely to reduce our calendars of prisoners.

In conclusion I beg to lay before your bench this my report of "the moral condition of the prisoners"—that some few have manifested an entire change for the better—the fruits of the truths which they have heard and received; but that the major part have exhibited a lamentable indifference to a prison life, some even preferring it to a workhouse or to the privations of poverty abroad. On the foregoing, I beg leave with all submission to make the following observations:—that, as in the ranks of life from which our criminal lists are chiefly filled, there must ever be a very large number accessible only to fear of punishment, as a deterring principle—it were both politic and humane to make an imprisonment more emphatically "a terror to evil-doers" than it is at present.

I have the honour to remain,
My Lords and Gentlemen,
Your obedient Servant,

October 16, 1854. EDWARD GEARE.

Upon this *Report,* Mr. Field, in a letter to the Editor of *The Berkshire Chronicle,* made the following observations:—

"Sir,—It would perhaps be difficult to over-estimate the importance of reports which are from time to time presented to our Courts of Quarter Sessions, descriptive of the operation and effects of the punishment and reformatory dicipline to which offenders in this county are subjected. Those reports are read—as I have frequent proof—far beyond the limits of Berkshire; they are quoted in periodicals, and referred to in Parliament. The prison discipline they describe, as pursued with such happy results in this county, has been adopted to a great extent, and thus they have conduced to the improved treatment of our criminals throughout England. Further good may be anticipated. In the very last number of the *Irish Quarterly Review,* in an article most ably written, hope is expressed that 'prisons similar to that of Reading will be established in every county of Ireland.' 'Let that of Reading,' adds the talented writer, 'be selected as the model, and we venture to assert that if gaols, similar in construction and discipline, were generally established, we might, without fear of disappointment, predict a rapid diminution of crime.'

You will then scarcely require an apology for some reply to observations in the report of my friend and brother chaplain, which appeared in your paper of last week. I appreciate Mr. Geare's sincerity, and admire and desire to imitate his zeal, yet faithfulness and philanthropy compel an endeavour to correct some mistakes in his report, and, whilst deploring them, to protest against some sentiments therein expressed. The duty is, indeed, forced upon me

since the remarks have reference to 'the gaols of Reading and Abingdon,' and are directly opposed to statements in my own reports of this and preceding years.

I will not follow my friend's example by commenting upon any treatment of criminals in Abingdon prison, further than to express surprise at such a total absence of all proper means of punishment as to render it necessary that the chaplain should, 'in almost every instance labour to create a feeling of pain,' whilst 'some have openly said that they enjoyed themselves very well.' But let me earnestly deprecate the supposition that the system of penal treatment in the Reading gaol is either thus defective, or calculated to afford such enjoyment. In several publications I have expressed my conviction —founded upon no short experience or very limited enquiries—that in the separate confinement of prisoners a punishment is provided, far more severe than any penal labour or other infliction which a civilised community would sanction. For ten years I have witnessed its operation, and my opinion is confirmed, whilst it is my constant duty and endeavour to mitigate, in many instances, that intense mental suffering which is so commonly produced.

Such a statement may seem to be contravened by the reported excess in the number of committals to the gaols of Reading and Abingdon during the last year. I pointed out last week that the excess was rather apparent than real, and that it was in a great measure accounted for by recent contracts for the reception of additional borough prisoners. Moreover it might have been stated that the offences were so comparatively trifling, and the terms of imprisonment so short, that whilst in neighbouring counties all the prisons were crowded, in the gaol at Reading there were from twenty to fifty vacant cells. But as respects re-committals, which are affirmed to be in a proportion of *one-fifth*, it must be observed that, *if this be any test* of prison discipline, it tells very favourably for that of Berkshire, since criminal statistics show that the average throughout the country exceeds *one-fourth*.

The report proceeds, 'it may be asked in the face of such returns, have the chaplains been doing their duty?' Now as I do not appeal to any statistics that my ministerial character may be either vindicated or approved, I am not at all careful to answer that question. But I do protest against the opinion that any increased severity in the treatment of our criminals, which should produce 'gloomy horror' 'great discomforts, and real hardships,' could be in the least degree favourable to the mental instruction and the moral discipline which it is the duty of a chaplain to superintend, or have any tendency to excite those penitential feelings and that permanent improvement which he must be ever anxious to promote. I had too long the opportunity of observing the miserable effects of that corporal punishment and penal labour which has been advocated; and during that time my own labour was not only painful but expended in vain upon the wretched victims of such mistaken treatment. God forbid then that any miscalculations or imaginary advantages should induce retrogression towards those barbarous and dark ages of prison management, and so frustrate that vast improvement which has been accomplished.

But it is assumed that increased severity would deter from crime. The opinion has been sufficiently controverted by our best writers on Moral Philosophy, and on the Criminal Laws. Paley and Butler, and Romily and Blackstone, deduced from reason that which facts and observation have confirmed. Neither the hideous gibbet deterred the highwayman of past days, nor does the frowning aspect of Newgate serve to frighten the London thief at present. 'I remember,' said Baron Alderson in his evidence before the House of Lords, 'hearing it proved when people were hanged for uttering one pound notes, that such notes sold currently for twelve shillings. The risk of death was then run for eight shillings.' Slowly enough did we learn even in Berkshire, that the erection of the scaffold did not scare the housebreakers; and that the wearying treadwheel and severe corporal chastisement did not repress crime. But its diminution since such means have been abandoned, and a better penal system accompanied with reformatory discipline has been adopted, leaves no doubt as to the wisdom of adhering to plans at once more christian, more humane, and by their corrective influence more preventive of crime.

Greater punishment is insisted upon with an especial reference to criminals committed for a short imprisonment. I heartly concur in deprecating short imprisonments, and I trust the day is not distant when no offender will be sentenced to a term of less than three months separate confinement. Not that I consider every offence should be thus punished, or that an unconditional pardon should be in any case granted; rather let the first offence, if but trifling, be recorded, and the penalty suspended, to be, however, inflicted in a cumulated manner and degree if the offender become again amendable to the claims of the law. Still whilst the law appoints a term of punishment so short as to afford little hope of permanent correction, let us not forbid improvement, or still further debase the criminal, by substituting a vicious and depraving penal treatment for that which is well adapted to correct and reclaim.

Whilst I repeat an expression of regret that this explanation should have been called for, yet if a difference of opinion excite additional inquiry concerning the discipline of our prison and the results produced, I trust that many may derive advantage.

I remain, Sir, your faithful servant,

J. Field."

Upon the authority of this letter we will offer no comment—the writer's name is sufficient. However, in a recent number of *The Globe* an article has appeared, so virulent, so ignorant, and so absurdly one-sided in tone, and at the same time, so mischievous in its tendency, that it must be here inserted, in its most important parts, in this Quarterly Record:—

"When Howard exposed in his day the loathsome secrets of the dungeon, he hardly dreamed that he was beginning an enquiry which was to terminate in bringing our jails to their present state of de-

moralization, compared with which the former dens of filth and crime—appalling as they were—were schools of moral instruction. But so it is. Mr. Recorder Hill tells the people that crime increases; and well it may, seeing that from the time an offender is committed to take his trial (if even the mischief do not begin earlier), up to his discharge from his so-called reformatory training, almost all is done that can be done to invite him to the repetition of his crimes, and especially is all done to invite innocent healthy observers to follow his example and to contract his moral diseases.

When the cholera broke out in London, the Government having the fear of the humanity-mongers before its eyes, took the convicts —the gentlemen-convicts—seven hundred strong, from Millbank Penitentiary, and sent them, without fatigue, exposure to wind or weather, or any of those evil contingencies to which honourable labourers are every hour exposed, to Dorchester Barracks, one of the most salubrious sites in the country. It is said their foul linen was sent to a contiguous village, Fordington, to be washed by very poor but very honourable women—not convicts, but honourable women—who were content to earn food for themselves and their families by doing this disgusting work for thieves, rather than themselves turn thieves. Much has been said about the condition of the Dorsetshire labourers, and once on a time they broke out into riot. What are they likely to do now they can make close comparison between their own existence, which is one long seventy years of severe work and self-denial, with the luxurious homes of these gentlemen convicts? A Dorsetshire labourer has at best, all perquisites included, about 14s a week to subsist upon—himself, his wife, and some two or three children. The common talk there is that the gentlemen-convict costs 27s 6d a week. If so, he costs at least double what the labourer costs, who produces the meat, the bread, the milk, the grocery that the other consumes, and who does in return nothing for his country but mischief. Is it any exaggeration or any paradox to say that all this is exquisite, hard-hearted cruelty? The labourer gets bread flavoured with an onion for his dinner: his drink is water, any sort of water; he does not know the taste of butchers' meat from one harvest to another—it is a great thing if he can get a bit of fat pork on a Sunday, or the smell of it in the hot mess prepared for his supper. The gentleman-convict has in his sanitary mansion good butchers' meat every day; all the bone and gristle and fat taken away. The refuse of his cookery, now cast into 'the hog-tub,' is rich, delicious animal matter, that would make excellent food for the honourable workers of Fordington. It is suggested by some intelligent people, that a deputation of what are called the 'poor people' should go to the governor and petition that this refuse food of the gentlemen-convicts should be charitably bestowed on them, or at least on those families who are brought to destitution by the cholera. They get the best of bread, the best of meat, and 125 quarts of milk daily. Those who are acquainted with country affairs know that milk is a very scarce article; 'the poor' are hard put to it to get any; the daily supply is measured out most niggardly—even a few extra quarts

cannot be got. The consequence is that those who can afford to buy it at all are now paying exactly double what they paid before the gentlemen-convicts came among them.

At Portland the same course is adopted. After having been in 'retreat' there the appointed time, the convicts are liberated, they are sent home, fare paid, and with some money in their pockets. A working man was a short time back witness of this. A convict (one among others) was taken by an officer of the jail to the railway, his fair paid to Birmingham, and nine pounds—the amount of his earnings—placed in his hands, and told he was a free man, to go where and do as he liked. This was talked of; the journeymen mechanics were sickened; they said they had little hope, after years of hard work on 16s or 18s a week, of having nine pounds in hard cash, really to such persons a little fortune. The idea is naturally suggested to them, if they had not better rob their masters, and be sent to prison, and if on the whole there is not a better chance of having a little money in one's own hands by committing a great crime than by a long course of self-denying labour. The condition of the thief and of the honourable labourer—the hero of humble life—is now one of constant comparison among the working people in and around Dorchester. If crime be not pretty rife there this coming winter, it will be attributable to the innate moral dignity of humble life. The humanity-mongers have opened a training school, where real, visible, palpable instruction is given, which will make men forget all (though very incorrectly called) the education they have received during the first seven or ten years of their lives. Pedagogy is not education; pedagogy only talks, and says thou shalt not steal, but the national education of this country says, steal and thou shalt be well fed, clothed, and comfortably provided for, and thou shalt have more flesh meat and creature comforts than thou canst earn by a whole life of useful toil; and this is no vain word of promise, but it is literally kept, and examples without number are placed before men's eyes and put into their mouths in every college of effectual instruction in the country, and such college is the Penitentiary and reformatory jail. Let a traveller just compare the fat bodies, the good warm clothes, the stout weather-proof highlows of the young gentlemen of Parkhurst Prison College, with the worn-out rags, and especially the broken shoes of the young peasant boy in the Isle of Wight, going to toil in a wet field or clay pit with his father, and he will see that the people of this country have establishments opened at the public cost to teach them, to encourage them, to reward them in the practice of crime, and the wonder really is, not that crime increases so fast, but that there is in fact so little of it."

Whether this article reflects, or does not reflect the opinions of the Home Office is beyond our knowledge, but we do know well, and fully, that the introduction of Mr. Recorder Hill's honored name is, to say the least, disingenuous. The very system here abused, we cannot class the style of the article so

high as ridicule, is that very system which Mr. Hill advocates, as may be learned from any of his Charges, even from that which we have in this Record twice quoted. We do not mean that he contends that prisoners should be fed in the absurd manner above stated, and which has place only in the fancy of the writer. And surely if the Government, that is—if the Commonwealth, place convicts or convicted criminals in prison, they are bound to provide such prisons as will not, by their unwholesomeness, conduce to the deaths of those confined in them; therefore the Government was bound to remove the inmates of prisons from confessedly unhealthy to admittedly healthy prisons. As to the diet—every body knows that the estimates of prison supply of meat are taken generally for the use of the prison and of the officers, and the fancied legs of mutton, and meat without fat or gristle are intended for the use of *officers* and prisoners—and as prison life and prison labor have a tendency to reduce the physical strength of the prison inmates, they require occasionally nutritious food—and as the best is the most economical—so the best is required from the contractors.

In reading the above quoted article it seems as if the writer wished us to fall, in our prison management, into all the atrocities of Neapolitan Prison Discipline disclosed by Mr. Gladstone, and proved by Mr. Recorder Hill in his letters entitled *Tuscan Jurisprudence*. Indeed one might reasonably suppose that the writer wished to revive the ignorant, defunct, decaying fooleries of thirty years ago, when the system of work adopted in the Preston House of Correction was decried as not rendering prisons "terrible"—it was contended that all the looms of Preston Gaol should be banished, and that for them should be substituted the capstan, the tread-mill, or some species of toil where the prisoner could not see the result of his labor. It was further contended that this labor should be monotonous, irksome, and dull as possible,—all pulling and pushing, instead of reading and writing. It was said that although *irons* should never be put upon prisoners before trial, yet after trial, there was great advantage to be derived from the disgrace and humiliation of irons and of a particolored prison dress. Terror, and pain, and suffering—wasted, useless suffering should be, according to these public instructors, the foundation of every penal system. Reformation was never thought of; it was recommended that a prisoner committed for three

months should pass a part of that period in *complete* darkness; the rest in complete solitude, perhaps in complete idleness *(for solitary idleness leads to repentance)*. The prisoner should be exempted from cold, be kept perfectly clean, have sufficient food to prevent hunger or illness, wear the prison dress *and moderate irons*, have no communication with any body but the officers of the prison and the magistrates, and remain there in the most perfect solitude. These, be it understood, are the systems of prison management advocated by *The Edinburgh Review* in 1821, and the system is but that indicated through sneers in 1854 by *The Globe*. It is an exploded system, found to be useless for repression, and unproductive of if not unsuited to reformation: it was truly a waste of suffering—a waste well justifying that passage in Mr. Recorder Hill's last *Charge*, which thus emphatically proclaims, referring to the Youthful Offenders' Act, his opinions in these words:—"But, if language did not fail me, I would ask to speak for the Ministers of Justice, and I would attempt to convey to you a due appreciation of the boon conferred upon us in our release *from the odious task of inflicting pain to be followed not by good but by evil*. What, gentlemen, is the waste of gold, or of precious stones, or of any earthly wealth, compared to the waste of human suffering! If it savour of presumption for erring man deliberately and by Law to inflict pain upon his brother, (as it assuredly would have done had it not been justified by absolute necessity) how awful is the duty cast upon him to look well to the consequences of such infliction, and to abstain from an unprofitable exercise of this fearful prerogative, as he would abstain from self-destruction."

So much for the article of *The Globe*, but a weak copy of Charles Dickens' caricature of a scene in a separate prison, as given in his *David Copperfield*.

During the past quarter many very excellent printed suggestions have been placed before us, all tending to prove that the Reformatory System, Prison Discipline, and the Penal Labor Question, are engaging the public attention. In future quarters we shall, in the Records, analyze and place before the reader all the facts and suggestions of these, and of such other essays and pamphlets as may be published, bearing on these subjects. One paper before us proposes that the convicts should be employed in stone breaking, and it will be remembered that Mr. Senior suggested such employment for the juveniles. As this paper is short, and its details rather complicated, we here insert it uncurtailed.

On Profitable Labor in the United Kingdom for Convicts sentenced to imprisonment or transportation, combined with a system to induce self-reformation, and for enabling them to obtain employment after expiration of sentence.

£400,000 sterling, is paid annually, according to calculations, on Parliamentary Returns, (see Turnpike Trust Return, shewing the total receipts and expenditure, &c., in England and North Wales, for 14 years (1834 to 1847,) printed for House of Commons, 12th July, 1850. Highways Return, shewing receipts and expenditure in thirteen counties in one year, 1845, (printed for House of Commons, 13th July, 1848,) for Labor in breaking stones for Turnpike and Borough Roads and Highways in England and Wales.

That the required amount of such labor for the United Kingdom is estimated at per annum, £600,000.

That such labor requires but little skill, and could be learnt in a few days by male convicts.

That such labor does not require expensive food, exposure to weather, nor freedom from control.

That at such work men can earn, and do at present rates, on an average throughout England as supposed, 11s. per week, (being average in Worcestershire and Warwickshire) per annum £28 12 0

Deduct for tools, 9d. per week—per annum 1 19 0

Net value of labor per annum 26 13 0

That the cost of maintaining and clothing convicts in the United Kingdom on an average is, per annum ... 9 12 6

Shewing a net profit on labor per man of ... £17 0 6

That the total number of male convicts in the United Kingdom annually sentenced to transportation is 2800,

gross labor at 11s. each per week, per annum ... £80,080 0 0

Deduct for tools, 9d. per week each—per annum 5,460 0 0

£74,620 0 0

Deduct cost of maintenance and clothing 2800, at £9 12s. 6d. each 26,950 0 0

Net profit on total labor £47,670 0 0

That if the transportation of male convicts ceased, the country would save the expense of transporting, amounting to £24 per head—total males sentenced, 2800—£67,200, besides deriving the profit upon their labor during the time, that if transported, is lost on the voyage, as also a great variety of contingent expenses in extra salaries to officers going abroad, &c. &c.

Proposed, 1st.—That Government should employ male convicts to break stones for roads in the neighbourhood of the existing jails as an experiment.

That the convicts should work in sheds forming a circle, each convict being in a separate compartment, as such form would be good for security and supervision.

That such sheds be so constructed as to be readily taken to pieces for

planting where most convenient for materials, as near railways and canals.

That should such experiment prove successful, convicts sentenced to transportation be employed in preparing materials for turnpike, borough, and highway roads throughout the country.

That iron jails moveable, forming a square, would be economical and advantageous for such purposes, being fire-proof and indestructible, and they might be planted in districts where stocks of materials are required.

That detachments of soldiers in time of peace might encamp near such moveable jails, forming an economical guard and satisfactory security to the public, and providing practical drilling for troops.

2ndly.—That as to give a stimulus to labor it is essential to make it beneficial to the employed, it is therefore desirable that the convicts should have an interest in their labor.

That an account be kept with each convict shewing the absolute value of his labor.

That the balance of his earnings beyond the cost of his clothing and maintenance be placed to the credit of each convict, to be applied to his benefit for purposes hereafter stated, and that such amount be placed to a separate account called his '*guarantee fund.*'

On providing convicts with employment after expiration of sentence.

It is admitted that one chief cause of the overflowing of jails is, that when men have been once in jail there is little hope of their obtaining employment, and they are consequently driven to crime from want or desperation; in confirmation of which, returns shew that out of 120,000 criminals, being the total number annually in the United Kingdom, one-fourth, or 30,000, return to the jails again, it is therefore most desirable to give an inducement to employers to engage released convicts.

Proposed that the following system be tried:—

1st.—That at the expiration of convict's term of punishment, a certain sum, sufficient to provide necessaries, be paid him weekly, for say one month or some such period, to support him whilst endeavouring to obtain employment, and that such payments be placed to the debit of his '*guarantee fund.*'

2nd.—That on his obtaining employment a 'guarantee ticket' be given to his employer by Government to the amount of such convict's 'guarantee fund,' obtained whilst in jail.

3rd.—That on such convict being convicted of crime against such employer, the amount of such 'guarantee ticket' shall be paid to employer by Government.

4th.—That should a released convict become amenable to the laws against other than his employer, his 'guarantee fund' shall be forfeited to Government or to the party aggrieved.

5th.—That after the expiration of a given time from a convict's release, his guarantee fund shall become his absolute property on the following conditions:—That it be expended in an outfit and passage for himself and family to a British colony, leaving a sufficient sum for necessaries on arrival there; or, be devoted to the purchase of a Government annuity for his life (not transferable, to commence after a certain age); or, to an annuity in case of permanent disability to obtain a livelihood through accident, illness, &c., &c.; or, for the benefit of his widow and family should he die and leave one.

6th.—That if unable to obtain employment the Government shall employ released convicts on public works on above regulations.

That £600,000 per annum is paid for getting from quarries, &c., materials, for turnpike, borough, and highway roads in England and Wales, and that such work would be an advantageous employment.

We may also record that a very useful *Summary of Points in the Training System*, suitable to Reformatory and Ragged Schools, has been extracted from *Stow's Training System*, Longman, 10th Edition, 1854, and circulated; it is eminently calculated to advance education in the schools, and makes Emulation, or the "Sympathy of Numbers," the great source of improvement, and excludes all corporal punishment; the book of which it is a summary is too well known to require notice here.

A very important meeting, of the Justices of Peace of the West Riding of Yorkshire, was held in the Court House, Wakefield, on Wednesday, 15th November last—the following Justices attended:—

"Hon. E. Lascelles, M.P., chairman; the Right Honourable John Parker, Darrington Hall; Sir George Goodman, M.P.; Rev. J. A. Rhodes; E. Denison, Esq., M.P.; J. T. Wharton, Esq.; H. Thompson, Esq.; W. R. C. Stansfield, Esq.; H. C. Maxwell, Esq.; J. H. Whitehead, Esq.; W. H. Leatham, Esq.; Edw. Tew, Esq.; John Rand, Esq.; E. B. Wheatley, Esq.; B.T. Woodd, Esq., M.P.; Joseph Starkey, Esq.; Joseph Holdsworth, Esq.; J. G. Smyth, Esq., M.P.; Col. Tempest; John Barff, Esq.; Charles Hardy, Esq.; J. B. Greenwood, Esq.; E. Akroyd, Esq.; J. C. D. Charlesworth, Esq.; John Gott, Esq.; John Waterhouse, Esq.; E. J. Jarratt, Esq.; F. Wormald, Esq.; J. Brigg, Esq.; W. Cheesebrough, Esq.; J. D. Dent, Esq., M.P.; T. B. Bosville, Esq.; J. T. Crompton, Esq."

From the statement of Mr. Rand, and from papers now before us, it appears that of 185 cases committed to the Wakefield House of Correction during the year 1848-49, one prisoner had been 13 times committed, two had been 12 times committed, and in many instances prisoners had been 8 or 9 times committed. The following observations of the Chairman are most interesting, and they convey the latest information upon the admirable "Children's Friend School," founded by Mr. Baker and Mr. Bengough, on Mr. Baker's estate at Hardwicke, near Gloucester:—*

* For a detailed account of this School, see IRISH QUARTERLY REVIEW, Vol. IV. No. 15. p. 749; see also the "Journal of Progress," No. 3. p. 38.

"The Chairman, in opening the proceedings, explained the circumstances under which the meeting had been called. Under the act of parliament passed during last session there was no power given to magistrates to establish reformatory schools, but simply to commit to such institutions after they were established. It was for the magistrates or others to consider whether they would adopt any measures for the establishing of an institution under the sanction of government and subject to the inspection of one of her Majesty's Inspectors of Prisons, for the admission of persons committed for offences, and to confine them for two, three, or five years. In carrying out such an institution the government were willing to afford considerable assistance. It appeared from one of the clauses, 'that it shall be lawful for the commissioners of her Majesty's Treasury upon the representation of one of her Majesty's principal Secretaries of State, to defray, out of any funds which shall be provided by parliament for that purpose, either the whole cost of the care and maintenance of any juvenile offender so detained in any reformatory school as aforesaid, at such a rate per head as shall be determined by them, or such portion of such cost as shall not have been recovered from the parents or step-parents of such child, as herein provided, or such other portion as shall be recommended by the said Secretary of State.' Practically he understood this power to amount to this, that any magistrate, on the conviction of a juvenile offender, if he thought the parent was of ability to pay, would have the power to make a rate upon such parent, which would be recoverable by the same process as a rate laid under the poor law act. The extent of the government allowance was 5s. per week, and a grant would be made of any smaller sum necessary to make up the deficiency of the rate levied upon the parent. The probable cost of persons in those establishments was calculated at about £16 per head per annum, whilst the government allowance would be about £13, so that they might estimate a deficiency in carrying on institutions of this kind at about £3 per head per annum, exclusive of the original cost and furnishing of the building. In company with Mr. Wheatley he had just spent a few days with a Mr. Baker in the neighbourhood of Gloucester, who had established one of these institutions. They had looked over the establishment, and as far as he could ascertain the cost of the building, capable of accommodating say 30 boys, had been £420, and the furnishing £60. Mr. Baker commenced first with three, then he increased it to 12, afterwards to 20, and now he had 30. There were 30 acres of land attached to the building, 16 of which were under tillage, and the others in grass. Mr. Baker, who had had something like two years' experience, said that he was perfectly satisfied with the manner in which the establishment was going on—he (Mr. Baker) had made improvements during that period, and it was now upon a better footing. By establishing small institutions of this kind for not more than 30 boys, as far as they could in different localities, there would be every probability of success, but that would not be so with a larger institution. The Red Hill institution had 300 acres, and they had found that it was not convenient, and were now proposing to divide it into smaller farms.

It was a matter requiring the greatest prudence and caution, for if they had a large establishment they must have a large staff, which would give to the institution the character of a gaol instead of a school. He was satisfied from what he saw that the greatest benefits would result where the institutions were small and under the superintendence of a gentleman who placed himself in personal and frequent intercourse with the inmates. Such a superintendence was far preferable to a large staff, which, though efficient perhaps as to discipline, failed to win the affection of the boys. He (the Chairman) threw out these suggestions for the consideration of the meeting, and they must take them for what they were worth, but his own impression was in accordanee with that of Mr. Baker, that more beneficial results would follow from a smaller institution than from a large one. Then as to the expense. Suppose the building cost £400, and that there was an annual loss of £100, he did not think if it was taken up that there would be any difficulty in raising it. He did not think it necessary to go to the county for subscriptions in the first instance unless they wanted a large establishment. If it was taken up in a small way it would be satisfactory. It would, he understood, be taken up by Mr. Wheatley, and he wished him every success. In conclusion he observed that the act gave no power to raise money—the institutions must be raised by voluntary subscription, and that being the case they would, to some extent, be under the superintendence of gentlemen subscribing.

Mr. Wheatley explained that if it should be the feeling of the magistrates that such a mode of trying the experiment was the best, he was ready to establish one, but if it was thought that a central establishment would be better he would do all he could to support it. He intended to take the institution of Mr. Baker as his model. In reply to Mr. Stansfield, he added that he had an unfinished building near his own house at Mirfield which he intended to appropriate.

Mr. Maxwell wished to know whether Mr. Wheatley proposed to allow ministers of all denominations to attend the school, and give to the inmates belonging to their respective denominations spiritual instruction?

Mr. Wheatley said he should have no objection."

These passages are taken from *The Leeds Intelligencer*, of Saturday, November 18th, and in the same number of the Journal we find the following summary of the result of the meeting:—

"PROPOSED REFORMATORY SCHOOLS IN THE WEST RIDING.—An important and influential meeting of the magistracy of the West Riding was held at Wakefield on Wednesday, a lengthened report of which will be found in our 7th page. The subject excited considerable attention and discussion; and though a slight difference of opinion was manifest as to carrying out the provisions of the recent act of Parliament for the reformation of juvenile offenders, there was perfect unanimity as to the importance of reformatory institutions. Generally the magistracy expressed themselves favourable to the

establishment of several small institutions throughout the riding, under the superintendence of gentlemen resident in their vicinity, in preference to a large central establishment, which would involve a large staff, and assume the character of a gaol, and thus deteriorate from its usefulness. Taking this view of the subject, the chairman (the Hon. E. Lascelles, M.P.), said he did not think it necessary to appeal at present generally to the county, as he thought the experiment would prove more successful if tried by small institutions. During the meeting E. B. Wheatley, Esq., intimated his intention to establish an institution capable of accommodating about 30 boys, near to his residence at Mirfield; stating, in reply to inquiries, that he should not object to receive support from other gentlemen in carrying it out. Ultimately a committee was appointed to inquire into the cost of an institution in the neighbourhood of Wakefield, for the accommodation of 100 boys. The subject was felt to be one of great importance, and also of great difficulty, and, as will be seen from the report, it was conceded that great caution and prudence were necessary to ensure success."*

As the most important publication of the quarter we must place a paper entitled "The Management and Disposal of our Criminal Population," and printed in the October number of the *Edinburgh Review*. It deals chiefly with the Convict System, but touches also, in a most able manner, upon the questions of Juvenile Reformation, the Separate System, and Penal Labor. We regret that the clearness and vigor shown in arguing the Convict question were not extended to a full exposition of the Reformatory Schools; indeed the *Edinburgh* owes this to its readers, as since the year 1848 no paper has been devoted in it to this subject—it is promised in the paper before us, let us hope that the promise may be very soon fulfilled, as these Schools have great and paramount claims upon the attention of all; well, and wisely is it stated in this paper—

"We have much more to say, but we cannot say it now. The treatment of juvenile offenders; the various measures which might be adopted for the prevention or mitigation of crime, by attacking its sources and predisposing influences; the economical or moral objections which may possibly be urged against some of our recommendations,—these we must defer for consideration to some future time. We have here endeavoured to explain the present state of matters as regards the disposal of the prison population, and the various modifications and improvements we desire to effect in that state,—to describe what is done, and to suggest what ought to be

* To the advocates of this school we can recommend a letter signed Barugh Almack, and published in a recent number of "The Builder" under the head of "Farm Schools—The Children of London Streets." It contains some admirable suggestions.

done. We trust we have succeeded in convincing our readers, as assuredly we are convinced ourselves, that by a steady and systematic course of action,—which presents no serious or insuperable difficulties, which is suggested and sanctioned by long and wide experience, the main features of which are no longer matter of controversy or question, which violates no philosophic or economic principles, and which the highest interests of the community imperatively and urgently dictate—we may so manage while in prison, and provide for on release, the criminal classes of these realms, as at once to rescue themselves from the logical consequences of their unhappy antecedents, and to secure society from the inevitable mischiefs which would ensue from their relapse. We firmly believe that, in order to ensure the beneficent results which we all, whatever be our theories, concur in desiring to bring about, it is only necessary to *will* with sufficient energy, and to act on a sufficiently extensive scale; that the evil we are called upon to deal with, gigantic and clamorous as it is, is, like all other social evils, and more readily and surely than most others, curable on the application of the proper remedies; and that the difficulties of the case lie, not in the nature of the thing to be done, but in our want of resolution to grapple with and do it, —in our inconceivable national inertia; in our incurable habit of seeing lions in every broad path, and objections to every comprehensive scheme; in our morbid tendency—half-laziness, half-scrupulosity—always to forego a great good rather than encounter a little evil or run a little risk; in the over-tasked energies of our public men; in the instinctive alarm with which we all shrink from novelties however salutary—the people because they are unprecedented, the officials because they are troublesome; in our paltry local jealousies; in our still paltrier and more unpardonable party strifes."

To no portion of these great Kingdoms do these observations apply more forcibly than to Ireland—let us have public meetings to take the opinion of the country upon this Reformatory School movement, and of the extension of the *Youthful Offenders' Act* to Ireland. We can assemble readily for all other purposes; Deaf and Dumb children have their advocates, Tenants have their Leagues, Religious Societies have their supporters, Pagans and Jews, and the wild hordes of far off lands have Christian advocates of their conversion; but "the City Arab," "the Home Heathen," has no hand held forth to effectually, that is by force of law, reclaim him; he may enter or may leave the school, guided only by his wayward, warped and ignorant will—truly might Mr. Thomson of Banchory write—"Surely Heathens at home have no less claims on our exertions than Heathens abroad." In the grave command of Scripture we are required to shield these children, and are told that if we do not serve even the least, we serve not God. If the Divine command will not influence us, we have

the proof afforded by facts and figures, that we squander money and increase taxation by continuing the present system. In the words of Talfourd, uttered with the shadow of death around him, we draw the attention of our Parliamentary Representatives to the evidence inserted in this Record, showing the necessity which exists for the extension of this Act of Parliament to Ireland: "It," said the dying Judge, "becomes us therefore who desire to maintain and promote the advancement of the moral feeling of the people, to endeavour when the circumstance of their early guilt, which very often has arisen from some sudden temptation, and does not imply any greater depravity than that which the corruption of human nature spreads amongst all, that we should take an opportunity, not of yielding up the educational discipline of the law—that we should take care not merely to punish but to reform, and to seek to avail ourselves of that opportunity which that first offence has given, to bring within the pale of sympathy, and within the pale of religion, that unhappy person who has a soul immortal as our own, and has entered upon a life—a life as long in this world and that which is to come,—and to whom our warmest sympathy rather than our indignation, ought to be addressed."

And if the beautiful morality of this sentiment will not cause our people, with the evidence of Prison officials inciting them, to demand the extension of the Act, we ask them, in the words of the Rev. Dr. Guthrie, in his *Plea for Ragged Schools*—"do you fancy that by refusing this appeal, and refusing to establish these schools, you (the public) will be saved the expense of maintaining these outcasts? a great and demonstrable mistake. They live just now; and how do they live? Not by their own honest industry, but at your expense; they beg and steal for themselves, or their parents beg and steal for them. You are not relieved of the expense of their sustenance by refusing this appeal. The old man of the sea sticks to the back of Sinbad: and surely it were better for Sinbad to teach the old man to walk on his own feet."

To England and to Scotland we owe the legislative recognition of the Reformatory Principle; to ourselves, by demanding it, we must owe the extension of the *Youthful Offenders' Act* to Ireland.

To the Managers of Reformatory and Ragged Schools, and to the Chaplains of Prisons.

The Editor of THE IRISH QUARTERLY REVIEW will feel most grateful to those gentlemen holding any of the above positions, who will send him, on or before the 1st February, 1st May, 1st August, and 1st November, in each year, such short statements of the results of the School and Prison Discipline as they may consider useful. They shall appear in the Record, and thus important information, which might be known only to a comparative few, will be placed in a concise form before the general reader, and those too who are active in supporting these questions. All communications may be addressed to the Editor at 8, Grafton-street, Dublin.

OFFICE OF THE IRISH QUARTERLY REVIEW,
8, Grafton-street.
Dublin, November 21, 1854.

APPENDIX.

ÉTABLISSEMENTS D'EDUCATION CORRECTIONNELLE DE JEUNES DÉTENUS.

La situation des jeunes détenus envoyés en correction en vertu de l'article 66 du code pénal, et condamnés par application des articles 67 et 69, devait, par l'intérêt qui s'attache á cet âge, et les espérances d'amendement qu'il présente, occuper une large place dans la sollicitude de votre Gouvernement.

La loi du 5 août 1850, qui a dévolu à mon département la tutelle administrative de ces enfants, en décidant qu'ils seraient appliqués aux travaux agricoles dans des établissements publics ou privés, a remis à des réglements d'administration publique le soin de déterminer le régime disciplinaire de ces institutions et le mode de patronage qui doit suivre et protéger les jeunes libérés. Le premier de ces documents, préparé par le conseil des inspecteurs généraux des prisons, a été soumis aux délibérations du conseil d'État. Le second lui sera prochainement présenté.

Ces établissements ont été l'objet d'inspections fréquentes, et tous les renseignements propres à éclairer cette question, au point de vue légal, réglementaire et statistique, ont été recueillis.*

C'est qu'en effet cette branche, d'bord très-secondaire, de l'administration pénitentiaire prend chaque jour plus d'importance par l'accroissement de l'effectif, et par les graves questions qu'elle soulève. Naguère encore on pouvait considérer la plupart des fondations comme des expériences isolées, tentées dans des voies diverses, et que l'Etat se bornait à encourager de ses subventions. La loi elle-même, en accordant un délai de cinq années pour le placement des enfants dans des établissements privés, et à défaut de ceux-ci dans des établissements publics, semblait reconnaître que la période d'expérimentation n'etait pas close en 1850. Le moment est arrivé de donner à ce service une organisation définitive, et de lui demander compte des sacrifices qu'il impose et des résultats qu'il produit.

Il y a lieu avant tout de se préoccuper d'une augmentation annuelle de population beaucoup plus considérable parmi les jeunes détenus que parmi les adultes. En 1837, leur nombre était de 1,393, en 1842 de 2,262, en 1847 de 4,276 ; d'après les tableaux statistiques ci-joints, il s'élevait, le 31 décembre 1851, à 5,607 ; et le 31 décembre 1852, à 6,443.†

Cette progression énorme ne représente pas absolument un mouvement corrélatif dans la criminalité du jeune âge. Les comptes rendus du ministère de la justice établissent que, de 1831 à 1850, le nombre des enfants accusés et jugés annuellement pour crimes, par les cours d'assises, est de 310 à 315, en moyenne, sans variations sensibles. Mais il n'en est pas de même pour les simples délits. D'une part, le nombre total des jeunes prévenus que des faits peu

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* *Etudes sur les colonies agricoles*, par MM. G. de Lurieu et H. Romand, inspecteurs généraux des établissements de bienfaisance.

Rapport de M. Louis Perrot, *inspecteur general des prisons, sur l'établissement des colonies pénitentiaires en Corse et en Afrique.*

Précis historique et statistique des colonies agricoles, par MM. J. de Lamarque et G. Dugat, attachés à la division des prisons.

Tableau de la situation morale et matérielle des jeunes détenus et des jeunes libérés, par M. Paul Bucquet, inspecteur général adjoint de prisons, 1853.

† Au 31 démbe 1853, ce nombre atteignait le chiffre de 7.959.

graves appellent devant la juridiction correctionnelle, a doublé ; de l'autre, le résultat des poursuites a été beaucoup plus sévère. La moyenne annuelle des jugements prononcant l'envoi en correction, qui, avant 1830, était de 215, s'est successivement élevée jusqu'à celle de 1,607, dans la période quinquennale de 1846 à 1850, c'est-à-dire est devenue près de huit fois plus forte. L'existence d'établissements pénitentiaires spécialement destinés à l'enfance provoque et multiplie ces décisions devant lesquelles reculaient les tribunaux à une époque où le séjour des prisons exposait les jeunes détenus á des contacts et à des enseignements pires que ceux de la vie libre.

Ces institutions ont donc comblé une lacune de l'ancien état de choses, et répondu à un véritable besoin social. Il y avait lieu de penser qu'une répression beaucoup plus forte que par le passé, tout en élevant le nombre de ceux qu'elle frappe, diminuerait celui des délinquants. Il n'en a pas été ainsi. On a pu reconnaître, chez certains parents nécessiteux et dépravés, une funeste tendance à laisser ou même à placer leurs enfants sous le coup de ces jugements dans lesquels le bienfait l'emporte sur la peine. Ils se débarrassent ainsi sur l'Etat du soin de leur éducation, sauf à les reprendre au bout de quelques années, afin de profiter de leur travail, et quelquefois dans de plus honteux desseins. Ces déplorables calculs sont dus à la prépondérance trop exclusive donnée depuis quelques années aux idées d'assistance et de charité dans le regimé des institutions de jeunes détenus, et particulièrement, des établissements privés. Le caractère répressif de l'éducation correctionnelle ne se fait pas assez fortement sentir dans ces colonies, que certaines classes commencent à considérer comme des colléges de pauvres. C'est en vue de raffermir le principe disciplinaire qu'a été conçu le projet de règlement soumis aux délibérations du conseil d'Etat. En même temps, pour déjouer cette affligeante complicité de la famille dans les actes qui amènent les enfants sur les bancs des tribunaux, j'ai décidé que désormais l'administration ne se dessaisira des jeunes détenus qu'après le temps reconnu nécessaire à leur amendement, et lorsqu'il sera constaté que les parents ne se sont pas, par de mauvais conseils ou de mauvais exemples, rendus indignes de les reprendre.* Cette dernière mesure commence à porter ses fruits, et, déjà, les parents se sont plus souvent présentés pour réclaimer leurs enfants au moment du jugement. J'ai l'espoir que l'application d'un régime disciplinaire plus énergique ajoutera à ces bons effets et raménera cette catégoriede détenus dans ses véritables limites.

Le mouvement de la population pendant le cours de l'année 1852, a roulé sur 9,255 enfants, dont 4,839 appartenaient aux établissements publics, 4,416 aux établissements privés.

Les premiers, au nombre de 14,† comprennent 7 colonies, 3 quartiers industriels annexés aux maisons centrales et 7 institutions départementales ; les seconds, au nombre de 35, comptent 16 colonies, 17 maisons conventuelles et 2 Sociétés de patronage.

L'effectif de 6,443 restant au 31 décembre 1852 était ainsi reparti:

Etablissements publics.....	2,490	garçons et	528 filles.
Institutions privées.....	2,912	—	513 —

Depuis cette époque, les jeunes filles ont été retirées des quartiers qui leur étaient affectés dans les maisons centrales et placées dans des

* *Circulaire du, 5 juillet* 1852.

† This should be 17.—Ed.

établissements conventuels. Il ne reste plus que deux maisons de détention où se trouvent encore des jeunes détenues; et, très-prochainement, ces exceptions disparaîtront.

Ainsi se trouvera réalisé, pour les filles, et dans les conditions les plus satisfaisantes, le vœu de la loi, qui n'admet l'existence des établissements publics qu'à défaut d'établissements privés. Mais, pour les garçons, les quatre années écoulées depuis 1850 ne permettent guère d'espérer ni même de poursuivre un résultat semblable.

Je n'hésite pas à dire que, dans les motifs qui, en 1850, ont déterminé cette tendance de la loi, l'administration a été l'objet d'injustes défiances. L'expérience a prouvé que le zèle des agents préposés aux établissements de l'Etat s'est maintenu à la hauteur des dévouements privés dans l'accomplissement de leur tâche délicate et laborieuse. Un établissement d'éducation correctionnelle, destiné à cette classe d'enfants sur laquelle s'étendent à la fois, la loi pénale et la tutelle de l'Etat, offre un des problèmes les plus difficiles à résoudre. La juste mesure dans laquelle doivent s'y combiner le régime pénitentiaire et l'élément charitable, et, en même temps, l'art de diriger avec habilité, et avec fruit, une vaste exploitation agricole, exigent bien des conditions et des aptitudes diverses A cet égard, l'administration publique offre, sur certains points, des avantages qui, sans doute, peuvent lui manquer sur d'autres ; mais les institutions privées ont aussi leur écueil. D'une part, elles peuvent difficilement s'organiser d'une manière efficace pour la répression et l'intimidation ; de l'autre, il est à craindre que l'intérêt particulier et l'esprit de spéculation n'y tiennent parfois une trop large place. Plus d'un projet a été écarté, dont le résultat, à peu près unique, eût été d'améliorer des propriétés privées avec l'argent du trésor, et les bras des jeunes détenus. Si l'Etat doit à l'initiative de quelques fondateurs, la pensée de ce système, et la création d'institutions que l'Europe nous envie, l'inspection générale a pu cependant constater, dans quelques établissements nouveaux, des irrégularités et des lacunes regrettables sous les rapports de l'éducation morale, religieuse et professionnelle, de la garde, de la surveillance, et même de l'économie agricole et domestique. Mon administration met tous ses soins à corriger ces abus; elle tâche aussi de les prévenir, en apportant une extrême prudence dans le choix et l'adoption des projets tendant à constituer de nouvelles colonies privées ; elle doit, en outre, exiger, autant que possible, qu'elles s'établissent non pas dans des pays où le sol est en complète culture, mais dans des contrées de défrichement, où les subventions de l'Etat et le travail des enfants contribueront à accroître nos richesses agricoles.

Les institutions religieuses qui se vouent à ce difficile labeur me paraissent surtout devoir obtenir la préférence. Entre les mains de ces corporations, dont les membres se renouvellent, et qui survivent à leurs fondateurs, les œuvres ont l'avantage de n'être pas viagères et dépendantes de la capacité, du dévouement d'un homme. C'est là une grande considération pour l'Etat, qui ne peut subordonner le sort de établissements importants, qu'il contribue à fonder et à rendre prospères, aux accidents de la vie et de la fortune, et à la loi des partages. Des projets conçus sur ces bases offriront bientôt de nonveaux refuges à cette population croissante.

La loi du 5 août 1850 prescrit l'établissement de colonies correctionnelles d'un régime plus sévère, en Algérie ou sur le continent, pour les condamnés au-dessus de 2 ans et les indisciplinés. Jusqu'à présent, les colonies et quartiers annexés aux maisons centrales ont remplacé ces institutions spéciales. D'abord, il a été reconnu que

le premier élément de cette catégorie de condamnés au-dessus de 2 ans n'offrait heureusement qu'un contingent minime Au 31 décembre, il s'élevait à 144 garçons et 29 filles; et encore j'ai lieu de penser que, dans ces chiffres, certains établissements privés, dépourvus d'écritures régulières, ont fait figurer, à tort, quelques enfants jugés par application de l'art, 66 du code pénal. Quant aux indisciplinés, une enquête en a porté le nombre probable à 92. Ce chiffre, joint à celui des 109 enfants transférés des établissements privés dans les quartiers correctionnels de maisons centrales, à la suite de tentatives d'évasion ou de faits graves, fait supposer qu'une seule colonie correctionnelle suffirait à ce second degré de repression. Afin qu'elle pût exercer une réelle intimidation, elle devrait être établie, soit hors du continent, soit dans un département éloigné des grands centres de population. Un projet de ce genre est en ce moment l'objet d'une étude spéciale.

La même loi prescrit l'application des jeunes détenus à l'agriculture ou aux principales industries qui s'y rattachent, et, dans de certaines conditions disciplinaires, à des travaux sédentaires. L'administration a dirigé ses efforts vers ce but, convaincue que le travail agricole exerce sur la moralité des enfants la plus salutaire de toutes les influences. Cependant des considérations d'âge, de force, de santé, d'apprentissage antérieur, d'aptitude spéciale, semblaient légitimer de nombreuses exceptions. Les jeunes détenus proviennent, à peu près par égale moitié, des villes et des campagnes, c'est-à-dire de l'agriculture et de l'industrie. Il serait difficile, quand la famille existe, qu'elle est vouée aux travaux industriels, et offre encore pour le jeune detenu, à sa libération, un asile honnête, de contester aux parents le droit de replacer leur enfant dans les conditions du travail domestique. S'il en était autrement, le but de la loi se trouverait manqué. Une éducation exclusivement agricole aurait imposé à l'Etat des sacrifices en pure perte, et, au lieu d'attirer dans les campagnes d'habiles laboureurs, elle n'aurait réussi qu'à rendre aux villes des jeunes gens obligés de recommencer le tardif apprentissage des métiers manuels, et destinés à faire de médiocres ouvriers: D'ailleurs, les établissements de l'Etait qui reçoivent les jeunes détenus, à défaut d'établissements privés, avaient, avant 1850, une organisation à la fois agricole et industrielle, qui, constituée au prix de grandes dépenses, produit aujourd'hui des résultats d'une sérieuse utilité. Il eût été imprudent de détruire ce qu'on avait édifié, avant d'être pourvu des moyens de le remplacer d'une manière satisfaisante. Cependant, tout en maintenant dans ces maisons l'enseignement industriel, on s'applique à y développer l'apprentissage du travail rural, et cette exception aux principes posés par la loi de 1850 se renfermera dans les justes limites fixées par le règlement soumis aux délibérations du conseil d'Etat. Le nombre des jeunes détenus industriels, qui au 31 décembre 1852, était de 45 p. 0:0, devra décroître chaque jour par l'extension donnée à l'agriculture dans les établissements publics.

Quant aux jeunes filles, elles sont, pour la plupart, employées aux travaux de leur sexe, et, dans quelques refuges, aux travaux de la ferme. L'administration encourage ce dernier genre d'éducation. Déjà plusieurs maisons religieuses ont acquis des dépendances où l'on apprend aux jeunes filles à tenir un ménage agricole.

L'état no. 1 de la statistique des jeunes détenus constate que le nombre des entrées, dans le cours de l'année 1852, a été de 3,648, et celui des libérés de 1,647. Il convient d'ajouter à ce nombre 20 condamnés graciés, et d'en distraire 505 enfants détenus par correction paternelle, qui n'ont fait que passer dans ces établissements;

restent donc 1,162 libérés, c'est-à-dire 18 p. 0:0 de la population moyenne, proportion qui porte à plus de cinq ans la durée moyenne de la détention. Ce terme devra augmenter, et l'extension de cette limite est désirable. La détention des enfants a pour but principal l'éducation morale, religieuse et professionnelle ; et ce bienfait, administré dans des conditions répressives qui impliquent de fâcheux antécédents, et souvent des natures déjà perverties, ne peut produire ses effets qu'avec l'aide du temps. Il est à souhaiter, sous ce rapport, et surtout en vue de l'âge auquel arrive la libération, que l'enfant soit maintenu dans les établissements jusqu'à vingt ans accomplis. Déjà plusieurs tribunaux ont adopté cette limite dans la plupart des cas, et cette jurisprudence tend à se généraliser. Le developpement moral et physique est tardif chez ces enfants, dont la naissance et le premier âge ont bien souvent subi les influences du vice ou de la misère. Afin de compléter l'apprentissage des garçons et dans l'intéret de leur placement, il faudrait ne les livrer à l'agriculture, aux professions industrielles ou au service militaire qu'après leur vingtième année. Des considérations de moralité rendraient plus nécessaire encore l'application de cette mesure à l'autre sexe.

Sur les 6,443 enfants existant dans les établissements au 31 décembre 1852, 3,388 appartenaient à la population des villes, 3,055 à celle des campagnes.

On comptait 871 enfants naturels, 93 enfants trouvés, 121 élèves des hospices, et 2,178 enfants orphelins de père et de mère ou de l'un d'eux.

Le département de la Seine a fourni 786 enfants, celui du Rhône 352, la Seine-Inférieure, le Bas-Rhin et le Nord, chacun plus de 200. Quinze départements, La Gironde, Eure-et-Loire, le Pas-de-Calais, Seine-et-Marne, les Bouches-du-Rhône, la Meurthe, la Moselle, la Loire-Inférieure, le Haut-Rhin, le Loiret, le Gard, l'Aisne, l'Herault, l'Oise, la Marne, en ont eu plus de 100. Six départements en comptent moins de 10 ; ce sont, l'Aude, la Lozère, la Haute-Loire, Tarn-et-Garonne, les Hautes et Basses-Alpes.

Sur ce nombre d'enfants répartis en trois âges :

685 avaient de 7 à 11 ans,
4,823 ,, de 11 à 17 ans,
935 ,, de 17 à 21 ans.

A l'exception de 92 protestants, 17 israélites et 18 mahométans, tous appartenaient au culte catholique.

Avant leur détention :

1,417 appartenaient aux professions industrielles ;
565 à l'agriculture ;
4,461 étaient sans profession.

Depuis la détention :

2,797 faisaient leur apprentissage agricole,
et 3,443 parmi lesquels 1,022 jeunes filles, étaient occupés aux travaux d'industrie.

Considérés sous le rapport pénal :

6,163 appartenaient à la catégorie des acquittés (art. 66 du code pénal) ;
197 seulement, à celle des condamnés (art. 67 et 69).
81 étaient détenus par correction paternelle.

Dans les causes de jugements, les attentats contre les personnes répresentent 10 p. 0:0 ; les vols simples, soustractions, escroqueries, 55 p. 0:0 ; le vagabondage et la mendicité, 35 p. 0:0.

On doit faire figurer en première ligne, comme constatant les difficultés et les résistances que rencontre l'éducation correctionnelle,

le transfrement de 109 enfants des établissements privés dans les maisons centrales. Ces mesures avaient pour cause une conduite incorrigible ou des tentatives d'évasion. Ces derniers actes sont frequents: 152 enfants dans le cours de l'année sont pérvenus à s'évader, 70 n'ont pas été repris, 17 seulement, sur lesquels quatre ont été repris, c'est-à-dire un peu moins de 4 pour mille, appartenaient aux établissements publics. Le reste c'est-à-dire 30 sur mille, provenait des colonies privés et principalement des établissements de récente fondation, où la surveillance n'est pas encore fortement organisée. Ces évasions, plus nombreuses depuis quelque temps, ont eu lieu surtout dans les maisons voisines des grandes villes. J'ai dû décider que désormais, les évadés repris seraient internés dans les quartiers correctionnels des maisons centrales,* et afin de stimuler la surveillance, j'aviserai prochainement aux moyens d'infliger une retenue pécuniaire aux établissements lorsque les évasions pourront être attribuées à la négligence.

Dans l'intérieur des établissements, les principales punitions sont; le cachot, la cellule, la mise au pain et à l'eau. Les châtiments graves, dont la durée a dépassé quinze jours, ont été de 13 pour le cachot, et de 236 pour la cellule.

Sous le rapport de l'instruction, 4,236 enfants, c'est-à-dire les 2 tiers environ, étaient complétement illettrés avant leur détention, et, depuis, les cinq sixièmes ont reçu l'instruction primaire à divers degrés. 1,211 seulement, qui répresentent une partie des nouveaux admis, étaient encore illettrés.

Le tableau consacré à l'état sanitaire des établissements d'éducation correctionnelle ne contient que des indications générales. Cette partie du service sera dorénavant l'objet d'une étude approfondie, ainsi que je l'ai annoncé en parlant des adultes. En attendant, j'ai pu faire constater que les maladies et la mortalité n'ont point dépassé les proportions des années antérieures. Le nombre des décès s'est élevé à 152 sur une population flottante de 9,255, ou, en moyenne, d'environ 6000 jeunes détenus. Les décès ont donc été de 15 sur mille par rapport au premier chiffre, et de 25 pour le second. Cette proportion diffère selon le genre des établissements: dans le quartiers et colonies annexés aux maisons centrales, elle est de 37 sur mille; dans les quartiers correctionnels départmentaux, de 32 et de 15 dans les établissements privés. Ces différences sensibles, à l'avantage de ces dernières institutions, tiennent principalement à ce que ces établissements exclusivement agricoles reçoivent en plus grand nombre les enfants des campagnes, et à ce qu'on réserve pour les ateliers industriels des maisons centrales ceux que leur âge ou leur force physique rend impropres aux travaux des champs.

Deux cas d'aliénation mentale postérieurs à l'admission et un seul suicide ont été signalés.

Enfin, le dernier tableau: *Renseignements sur les jeunes détenus libérés*, permet d'apprécier et de comparer, à leur égard, les résultats généraux et partiels de l'éducation correctionnelle.

1,162 libérés, dont 20 graciés, sont sortis en 1852, savoir:

Des quartiers et colonies annexes des maisons centrales ...	401
Des quartiers départementaux	151
Des établissements privés	610

Sur ce nombre, 465 (40 p. 0:0) avaient appris, pendant leur détention, une profession agricole;
697 (60 p. 0:0), parmi lesquels 164 jeunes filles, un métier industriel.

* *Décision ministérielle du 2 avril 1853.*

Les agriculteurs appartenaient aux établissements dans les proportions suivantes :

Maisons centrales ... ... 167 (36 p. 0:0 du nombre des agriculteurs),
Quartiers départementaux ... 25 (5 p. 0:0), —
Colonies privées ... ... 273 (59 p. 0:0), —

Les industriels se répartissaient de la manière suivante :

Maisons centrales ... ... 234 (34 p. 0:0 du nombre total des industriels),
Quartiers départementaux ... 126 (18·5 p. 0:0),
Établissements privés ... 337 (47 p. 0:0).

844 étaient en état de gagner leur vie, savoir :

283 sortis des maisons centrales,
79 des quartiers départementaux,
482 des établissements privés.

Sur 204 déclarés incapables de trouver des ressources dans une instruction incomplète,

71 appartenaient aux premiers établissements,
52 aux seconds,
81 aux derniers.

950 enfants ont reçu, à leur sortie, des habillements, dont le prix s'est élevé à 25,546 fr. 34 c. (26 c. 15 m. par enfant).

Ont pris part à cette dépense :

Les maisons centrales, pour ... 9,208 fr. 35 c. (374 enfants),
Les quartiers départementaux ... 1,145 „ (49 —),
Les établissements privés ... 15,192 99 (537 —).

Presque tous ont reçu des secours de route. Sans compter ceux qui reçoivent de la préfecture, à défaut des établissements, une indemnité de 15 c. par lieue, 908 enfants ont obtenu, à ce titre, 11,351 fr. 11 c., soit 12 fr. 50 c. par tête.

Ont contribué à cette dépense :

Les maisons centrales, pour ... 4,518 fr. 81 c. (366 libérés).
Les établissements privés ... 6,832 30 (500 —).

Si ces calculs montrent que l'instruction pendant la détention et les secours au moment de la sortie sont distribués aux jeunes détenus de manière à leur permettre de gagner leur vie, je regrette de ne pouvoir constater les mêmes efforts lorsqu'il s'agit du placement de ces enfants. Ainsi, 757 libérés de 1852 se sont retirés chez leurs parents, c'est-à-dire, bien souvent, au sein des tristes exemples et des mauvais conseils. Dans ce nombre d'enfants rendus ainsi à leur fâcheux entourage, 365 sortaient des maisons centrales, 45 des maisons départementales, et le reste, 347, des établissements privés. 95 seulement ont été recommandés à des sociétés de patronage, 5 par les maisons centrales, 26 par les institutions départementales, et 64 par les établissements privés. Enfin, 148, dont 18 sortant des établissements publics, ont été placés chez des particuliers par les soins des directeurs.

Le sort des jeunes libérés, leur conduite dans la vie libre, ces points important de la question, sont ceux sur lesquels l'administration se trouve la plus dépourvu de renseignements précis. Le nombre restreint des sociétés de patronage avait, en 1847 et 1848, inspiré au Gouvernement la pensée d'organiser une sorte de patronage administratif par l'entremise des maires des communes où se retiraient les libérés ; ces magistrats devaient, tous les six mois, transmettre à l'administration des feuilles de renseignements sur ces jeunes gens. Ces documents, fournis avec zèle et intelligence par un certain nombre de ces fonctionnaires, n'ont pu, cependant, être recueillis d'une manière assez générale pour fournir les éléments d'une statistique ;

des instructions nouvelles auront pour effet de combler cette lacune pour 1853.

Mais je compte particuliérement, pour constater les résultats de l'éducation correctionnelle, et la compléter, sur le développement des institutions de patronage, dont le projet de règlement, préparé en exécution de la loi du 5 août 1850, va prochainement fixer l'organisation.

Les fondations de ce genre qui fonctionnent actuellement sont au nombre de 8, et rendent déjà des services qui, pour être limités, n'en sont pas moins dignes de la reconnaissance publique. Les comptes annuels, exactement rendus par la Société pour le patronage des jeunes détenus et des jeunes libérés de la Seine, attestent les bienfaits que peuvent répandre ces œuvres de dévouement. En 1852, elle patronait 305 enfants, dont 171 appartenaient à la classe des libérés définitifs, et 134 à celle des libérés provisoires. Sur ce nombre, 28 ont renoncé au patronage, 27 ont été abandonnés comme incorrigibles, 2 ont disparu, 6 libérés provisoires ont été réintégrés, 16 seulement sont tombés en récidive.

Il est regrettable que toutes les autres sociétés n'aient pas, par la publication de comptes annuels, fourni d'autres témoignages de leur influence tutélaire; il est encore plus fâcheux que quelques-unes, déjà constituées, aient presque entièrement abandonné leur tâche, à défaut d'impulsion et d'encouragement. L'expectative du réglement administratif à intervenir, l'incertitude des principes qui présideront à la composition des sociétés et régleront leur action, ont contribué à produire cet abandon qui ne doit pas se prolonger. Je sais que cette matière est délicate, que l'intervention administrative doit être pleine de réserve dans ces questions charitables; car, si l'éducation pénitentiaire est un devoir, et doit être une charge de l'Etat, le patronage ne peut être que l'œuvre de la bienfaisance: c'est par elle qu'il doit se soutenir. Mais ces considérations ne peuvent légitimer l'abstention complète de l'administration. J'attends de salutaires effets d'une organisation qui associera, dans cette mission d'assistance, les représentants des diverses autorités locales, ceux de l'agriculture, de l'industrie, et les personnes, nombreuses en France, toujours prêtes à contribuer de leurs soins, et de leur fortune à de bonnes actions. J'ai l'espoir que Votre Majesté daignera encourager, par d'honorables récompenses, ces services utiles et désintéressés.

D'ailleurs, cette tâche sera rendue plus facile par les mesures que j'ai déjà prises pour le placement exclusif des jeunes filles dans les établissements religieux, et pour l'enrôlement de tous les jeunes garçons aptes, par leur âge, leur force et leur amendement, au service militaire. Le régiment pour les uns et le couvent pour les autres, constituent un patronage tout organisé, et qui présente à la société les plus sûres garanties.

Enfin, j'ajouterai que, sous ce dernier rapport, l'éducation donnée dans les établissements spéciaux de jeunes détenus a déjà porté ses fruits. Le compte général de l'administration de la justice criminelle, qui a résumé les résultats de la période de 1842 à 1850, a constaté que le nombre moyen des récidives, parmi les libérés de sept établissements principaux avait varié de 10 à 11 p. 0:0. Si l'on compare cette proportion à celle qui est signalée plus haut pour les adultes (35 p. 0:0 pour les hommes et 27 p. 0:0 pour les femmes),* on n'a pas à regretter les sacrifices que l'Etat s'impose pour la régénération morale de cette population.

* There is some mistake here, as these numbers are *reversed* in that portion of the Report devoted to the adult criminals.—Ed.

APPENDIX No. II.

RAPPORT DE M. DEMETZ, DIRECTEUR DE LA COLONIE AGRICOLE DE METTRAY.

MESSIEURS,

Ce n'est pas vainement que vous avez honoré Mettray de votre bienveillant patronage, car chaque année constate, par de nouveaux succès, le triomphe de la pensée morale qui est l'âme de votre œuvre ; le passé et le présent garantissent les promesses de l'avenir. Les faits que nous allons porter à votre connaissance vous feront partager, nous osons l'espérer, notre conviction à cet égard.

Dans notre précédent rapport, nous avons pris, avec bonheur, l'engagement de respecter ce que notre digne ami, M. le V^te^ de Courteilles, avait organisé avec tant de dévouement, tant de persévérants efforts, et souvent au prix de douloureuses fatigues. Nous avons été fidèle à notre parole. Aussi n'aurons-nous à vous rendre compte que de certaines améliorations dont l'expérience et le temps nous ont révélé les avantages.

Au début de la Colonie, nous avons divisé notre jeune population par familles, et nous ne saurions trop le répéter, c'est à cette organisation que nous devons le succès de Mettray.

Le dimanche, il est rendu compte, devant la Colonie assemblée, de la conduite et des travaux de chaque famille et, en particulier, des membres qui la composent. Tout enfant, qui l'a mérité, reçoit un encouragement ; toute famille dont la conduite a été satisfaisante, reçoit une récompense. Cette émulation dans la famille a constamment donné de bons resultats. Mais ce n'était pas assez ; nous avons cru qu'il serait possible d'exciter encore davantage cette lutte dans la bonne conduite, en la faisant passer de l'individu à la famille, de la famille à la Colonie tout entière.

Dans cette pensée, nous avons créé une sorte de prix d'honneur décerné à la famille qui s'est montrée irréprochable pendant la semaine écoulée ; c'est un drapeau aux couleurs nationales, avec cette simple légende : *Colonie de Mettray.—Honneur à la Famille* *** *.

Pendant les exercices, la famille qui a mérité cette distinction marche à la tête de la Colonie dont elle port l'étendard. Ce symbole, éclatant témoignage public d'une conduite sans reproche, frappe les regards des nombreux visiteurs venus à Mettray ; leurs éloges ne font pas défaut à la famille méritante, qui, joyeuse et fière, y trouve la récompense du devoir accompli ; les autres familles ont un égal desir de possèder le précieux drapeau, et toutes s'efforcent à l'envi de l'emporter sur leur heureuse rivale.

Cette lutte ardente, à qui fera mieux, sert la pensée morale de l'œuvre dans des proportions que des chiffres prouveront mieux que les plus éloquentes paroles.

Avant l'inauguration de notre drapeau, le nombre des enfants

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* Le nom de la famille victorieuse est inscrit dans un écusson attaché a la hampe du drapeau.

inscrits au tableau d'honneur était, par rapport au chiffre total de nos colons, de 66 pour cent; il est aujourd'hui de 74.5, et nous devons ajouter que, pendant le dernier trimestre, il est entré à la Colonie 37 enfants qui n'ont pu concourir, puisque, aux termes de notre règlement, un colon ne peut être porté sur le tableau d'honneur, que s'il a eté trois mois consécutifs sans subir de punition.

Par les mêmes motifs, le nombre de nos enfants envoyés au quartier de punition, et dont la moyenne était de 2 pour cent, par jour, se trouve aujourd'hui réduit à 1.25 pour cent.

Mais il ne faut pas croire que nous fussions arrivé subitement à un résultat aussi satisfaisant, si nous n'eussions cherché, dès le principe, à raviver dans le cœur de nos enfants, par tous les moyens possibles, le sentiment de l'honneur. Nous n'avons cessé de leur dire qu'ils étaient reçus à Mettray en quelque sorte sur parole, et que, pour toute âme vraiment généreuse, il n'y a pas de barrière plus infranchissable ; ils nous ont compris. Sur 1679 enfants admis à Mettray jusqu'au 1er janvier 1854, un seule a déserté, et son nom est l'objet du mépris de tous ses camarades. Pas une évasion n'a eu lieu pendant l'année qui vient de s'écouler.*

Lorsqu'un incendie est signalé dans nos environs, et malheureusement ces faits ne se renouvellent que trop souvent depuis quelque temps, nos enfants se portent au pas de course sur le lieu du sinistre, où ils font preuve dn plus grand courage ; mais nous avons eu soin d'insérer dans notre règlement que les colons envoyés au quartier de punition seraient privés de marcher avec leurs camarades, afin de leur faire bien comprendre tout le bonheur qu'on éprouve à rendre service à son semblable.

Les régiments qui sont en garnison à Tours dirigent souvent leurs promenades de nos côtés :† la précision des mouvements, l'obéissance instantanée au commandement, le soin, la propreté dans la tenue, la vue de cet appareil militaire déterminent un grand nombre de nos enfants à entrer dans les rangs de notre armée. Cette carrière a l'avantage de soustraire le plus grand nombre à la fâcheuse influence de leurs familles.

Chaque semaine on donne, comme nous l'avons dit, aux familles dont la conduite a été très satisfaisante, une récompense qui consiste le plus habituellement en une gravure représentant un trait de courage ou un sujet religieux ; ainsi, tantôt c'est une des batailles qui font le plus grand honneur à notre armée, tantôt un combat naval, puisque nous avons chez nous des enfants qui se destinent à la marine.‡ La scène sublime de la mort du saint archevêque de Paris,

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* La constatation de ce fait prouve que Mettray ne saurait être compris dans le contingent de la statistique que vient de publier M. le Ministre de l'Intérieur et qui constate qu'il y a eu pendant l'année 1852, dans les Colonies agricoles, 34 évasions pour mille.

† C'est pour nous un devoir de constater qu'à chacune de ces visites une collecte est faite par MM. les officiers en faveur de la Colonie.

‡ Nous avons beaucoup d'enfants des côtes de Bretagne, qui ont fait le cabotage et qui désirent reprendre leur ancienne occupation. Les nouvelles dispositions du trois-mats que nous devons à la libéralité de M. le ministre de la marine, nous permettent de compléter sur ce point, l'instruction de nos colons.

le dénouement d'une sœur de charité sauvant au milieu d'une émeute un officier au péril de ses jours, sont placés sous les yeux de nos enfants. Ces tableaux d'admirables exemples forment l'ornement de nos chambrées, et sont comme un musée populaire de grandeur, d'héroïsme et de sainteté.

C'est par la vue de semblables épisodes, c'est par ces moyens de frapper les regards, d'occuper la pensée, de passionner l'âme que nous dirigeons de vives imaginations promptes à s'égarer, et que nous parvenons à combattre le danger de cette existence monotone qui, dans les prisons, laisse vivre l'homme aux prises avec lui-même, c'est-à-dire avec son abrutissement et ses rancunes.

Mais, Messieurs, si nous nous faisons un bonheur d'encourager, par tous les moyens possibles, le bon vouloir de nos enfants, croyez aussi que ceux qui se montrent rebelles à nos enseignements sont l'objet, de notre part, d'une extreme sévérité, afin de exercer sur ces derniers une salutaire intimidation. Aussi la moindre infraction à la règle de la maison, est-elle sévèrement réprimée.

Notre quartier de punition a été construit sur le modèle de la prison de Philadelphie* et nous permet de proportionner la rigueur du châtiment à la nature de la faute. C'est en offrant tout à espérer à ceux qui se conduiront bien, et tout à craindre aux mauvais, que nous avons obtenu, sous le rapport moral, les résultats que nous sommes si heureux d'avoir à constater.

L'enseignement religieux, indispensables dans toute bonne éducation morale, occupe à Mettray la place qui lui appartient, c'est-à-dire la première. Pour vous inspirer toute confiance à cet égard, il suffit de vous dire que nous agissons d'après les conseils de notre digne prélat, Mgr le Cardinal Archevêque de Tours, qui ne cesse de nous combler de ses bontés.

A l'occasion de la fête de Noël, une retraite a été prêchée par un ecclésiastique dont Son Éminence avait fait choix. L'éloquence de ce missionnaire a porté la conviction dans tous les cœurs ; quel beau et touchant spectacle de voir toute la Colonie, au moment de la communion, se lever pour s'approcher de la sainte Table!

Les fêtes de Paquês n'ont pas été célébrées avec moins de ferveur. Nous sommes heureux d'avoir à constater de semblables résultats. Ce serait déjà beaucoup si, pendant le séjour de nos enfants à la Colonie, ils faisaient toujours preuve d'une piété sincère, mais nous avons de plus la joie de vous annoncer qu'il résulte des bulletins adressés à la Colonie par les patrons, que le plus grande nombre de nos enfants prouvent par leur persévérance dans le bien que l'éducation reçuc à Mettray a produit sur eux une impression durable.

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* M. Blouet, dont nous sommes toujours si heureux de prononcer le nom, a eu la mission du gouvernement d'aller étudier aux Etats-Unis le systeme pénitentiaire qui y est appliqué : il a construit le quartier de punition de Mettray sur le modèle de la prison de Cherry-Hill, près Philadelphie, c'est le premier établissement cellulaire qui ait été bâti en France.

Sur 480 bulletins, dans lesquels les patrons ont mentionné les sentiments religieux de leurs pupilles,

79 sont défavorables ;
401 sont favorables.

Deux de nos colons sont même entrés dans une congrégation religieuse. Nous avons besoin d'expliquer les causes qui ont déterminé cette vocation, afin qu'on soit bien convaincu de sa sincérité. Ces deux enfants ont été employés à la Colonie comme infirmiers, ce poste leur a été confié en raison de la douceur de leur caractère et de leur empressement à obliger leurs camarades. Ces généreuses dispositions n'ont fait que s'accroître, encouragées par l'exemple de notre Sœur de charité à laquelle le service de l'infirmerie est confié. Notre digne aumônier, M. l'abbé Guirard, dont nous ne saurions assez louer le dévouement, profite du temps où nos enfants sont malades pour rendre ses instructions plus fréquentes. Ce bienfait temporaire pour les enfants, qui ne séjournent que momentanément à notre infirmerie, s'est perpétué pour les colons dont nous venons de vous entretenir, et a agi sur eux d'une manière tellement efficace qu'ils ont été jugés dignes, comme nous l'avons dit, d'entrer dans un ordre religieux. Quelle énorme distance entre le point de départ et le but atteint !

Cet exemple, Messieurs, est une preuve de plus de l'influence des milieux, et nous donne la conviction que vous partagerez avec nous, nous n'en doutons pas, qu'il y aurait peu de natures indomptables si on pouvait donner assez de soins et de temps pour les vaincre, comme il n'y a pas de terres qui ne puissent produire pourvu qu'on n'épargne aucun moyen de les rendre fertiles.

Si tous nos enfants n'ont pas réalisé, lorsqu'ils ont été rendus à la liberté, les espérances qu'ils nous avaient fait concevoir pendant leur séjour auprès de nous, au moins est-il consolant de voir que le plus grand nombre a persévéré dans la voie du bien, surtout parmi les colons mariés et devenus pères de famille. Ils ont compris de bonne heure qu'ils devaient à leurs enfants l'éducation dont la Providence les avait appelés à jouir eux-mêmes, en les envoyant à la Colonie pour laquelle, nous sommes heureux de le dire, ils conservent la plus profonde reconnaissance. Qu'il nous soit permis d'en citer un touchant exemple :

Le nommé M.... a passé six ans à la Colonie, où il est devenu un bon ouvrier menuisier ; il rétourna à la fin de son temps dans son pays, à Nantes, où il fut placé sous le patronage de M. Marion ; il travaillait à faire des cabines pour les navires du port ; mais, au moment de la révolution de fevrier, tous les armements furent suspendus. M.... ne trouva pas d'ouvrage, malgré les efforts de son digne patron qui, pendant quelque temps, lui fit faire, pour son propre compte, des meubles dont il n'avait nullement besoin. M.... avait une femme et deux enfants, dont un était à la mamelle ; cependant il se décida à aller tenter fortune au loin. La femme se plaça comme nourrice sur lieux. La mère de M.... se chargea de l'aîné des enfants, et notre colon partit pour Lima ; mais bientôt par son travail

il sut inspirer de la confiance, obtint du crédit, et aujourd'hui il a trente ouvriers sous ses ordres. Après avoir économisé l'argent necessaire pour faire venir auprès de lui sa femme et ses enfants, M.... a voulu disposer d'une somme de 100 francs afin de se rendre fondateur de Mettray ; voici le contenu de la lettre qui accompagnait cet envoi :

Lima, le 8 *octobre* 1853.

Lettre du colon M.... à M. DeMetz.

CHER BIENFAITEUR,

C'est grâce à vos bontés que je suis heureux ici et que je peux, par mon travail, faire le bonheur de ma famille. C'est vous que m'avez donnné une partie des talents que je possède, et le plus grand de tous est le désir que j'ai de vous faire plaisir en vous montrant que vous n'avez pas semé dans une mauvaise terre. Grace à Dieu et à vous, je suis devenu homme et ouvrier capable de gagner sa vie. C'est donc du fond de l'Amérique que je viens me rappeler à votre bon souvenir et vous prier, Monsieur, d'avoir la bonté de m'admettre au nombre des fondateurs de Mettray et de me faire passer par un navire l'anneau que chaque fondateur doit porter. La mère de ma femme pourra remettre, en mon nom, à M. Marion la somme de 100 fr. nécessaire pour ce que je désire si ardemment.

Vous connaissez sans doute à Paris M. Montanet, armateur à Bordeaux. C'est, grace, à vos bontés et aux siennes, que j'ai pu venir dans ce pays tenter, sinon la fortune, du moins un avenir moins malheureux ; je pense, Monsieur, que, recommandé par vous, il ne refuserait pas de charger le capitaine de l'un de ses navires, qui viennent à toutes les époques de l'année dans ces mers, du dépôt que vous lui confieriez et qui me rendrait bien heureux, ainsi que ma femme qui désire aussi vivement que moi que je sois membre, fondateur de l'établissement où j'ai reçu des conseils si sages. Je vous prie, Monsieur, d'écouter ma demande, j'espére, avec l'aide de Dieu et du courage, pouvoir dans quelques années revoir avec ma famille, mon pays et les lieux où se sont écoulées les plus belles années de ma vie.

Je vous prie de faire mille compliments de ma part à M. Blanchard et à tous les dignes chefs de la Colonie ; ma femme se joint à moi pour vous souhaiter mille prospérités et vous dire le regret que nous avons éprouvé de la perte que Mettray avait faite en perdant M. de Courteilles, un des hommes si dignes de conduire ces jeunes colons dans le chemin de la vertu. Mais nous devons penser que Dieu a rappelé à lui l'homme de bien pour le récompenser des peines qu'il avait prises de cette jeunesse ramenée à la vertu par ses conseils et ceux de son digne frére en vertu, en patience et en bonté. Je serai heureux de pouvoir déposer sur son tombeau le tribut du regret qu'il mérite, et dire à mon fils que sans lui je ne serais peut être jamais devenu père de famille.

Adieu, cher Monsieur DeMetz, j'ai l'honneur de vous saluer, et ma femme se joint à moi pour prier Dieu de vous conserver longtemps pour continuer l'œuvre que vous avez si bien commencée.

Votre tout dévoué ancien colon,

Signé : M... Joseph.

Admirons, Messieurs, les voies de la Providence, qui a permis que de tels sentiments surgissent dans le cœur de pauvres enfants, perdus sans vous, et qu'une des pierres détachées de l'édifice servit à le consolider ! Quel enseignement pour nos colons, lorsque dans la chapelle, ils liront sur les murs le nom de leur camarade gravé en lettres d'or, avec l'épithète de *Fondateur de la Colonie*. Qu'il y a lieu pour eux à de salutaires reflexions dans ce seul fait !

VOICI LA STATISTIQUE MORALE DE NOS ENFANTS PLACÉS,

955—enfants ont été libérés depuis la fondation de la Colonie jusqu'au 1er janvier 1854.

Le premier colon sorti de Mettray a été placé par nos soins le 11 novembre 1840.

101—ont été libérés pendant l'année 1853.

Sur ces 953 colons libérés,

614—étaient venus des villes.
339—étaient venus des campagnes.
387—sont sortis de la Colonie pour se livrer à l'agriculture.
282—sont sortis ouvriers.
284—sont entrés au service militaire (le très-grand nombre comme engagés volontaires), savoir :
Dans l'armée de terre—223.
Dans l'armée de mer — 61.

Parmi les 284 soldats ou marins :

1—est décoré de la Légion-d'Honneur.
9—sons devenus sous-officiers.
17—sont devenus caporaux.
Un très grand nombre sont premiers soldats ou font partie des campagnies d'élite, et plusieurs sont dans la musique.
62—colons sont mariés et presque tous bons pères de famille.

Sur les 953 libérés :

774—sont restés irréprochables.
58—se conduisent médiocrement.
18—ont échappé à notre surveillance.
103—sont tombés en récidive depuis quatorze ans, d'après nos bulletins de patronage et la statistique du ministère de la justice.

Ce chiffre de 103 récidives parait énorme au premier abord ; mais en se reportant au nombre total des enfants libérés, et en songeant qu'elles se sont produites dans le laps de quatorze années, on reconnait que la moyenne des récidives à Mettray est bien peu élevée, puisque elle ne dépasse pas 11 pour cent, encore bien que la plus grande partie des colons libérés aient été élevés dans les grandes villes, où l'enseignement du vice n'est malheureusement que trop fécond.

Ainsi, ces récidives portent sur :

75—enfants des villes.
28—enfants des campagnes

La moyenne des récidives est donc de 11 pour cent depuis la fondation. Elle serait moindre encore, s'il ne fallait pas mettre en liberté des enfants âgés quelquefois à peine de douze ans, et si nous ne comprenions dans notre statistique les enfants sortis depuis l'origine de la Colonie, ce que ne font pas toutes les sociétés de patronage*

* Si Mettray établissait la statistique morale de ses libérés comme la plupart des sociétés de patronage, qui n'exercent leur tutelle que pendant trois ans sur leur patronés, nous aurions pour les 304 enfants sortis de Mettray, en 1851, 1852, 1853, *dix récidives* seulement à constater ce qui donne un chiffre de 3,28 pour cent.

Dans le principe, les récidives des jeunes détenus, ainsi que l'atteste l'honorable M. Bérenger (de la Drôme), étaient de 75 pour cent.

16—enfants récidivistes ont leurs parents en prison.

Il faut donc reconnaitre que ces enfants avaient reçu les plus fâcheux exemples de leurs parents; que quelques-uns même avaient été encouragés par leur famille à commettre les méfaits pour lesquels ils ont été arrêtés.

Parmi ceux qui ont subi l'épreuve d'une nouvelle décision judiciaire, et qui ont été de nouveau rendus à la liberté:

24—se conduisent bien maintenant.

Nous ne saurions mieux faire, pour constater les heureux résultats de notre patronage, que de reproduire les lettres suivantes:

Blidah, le 27 avril 1854.

MONSIEUR LE DIRECTEUR,

Je reçois aujourd'hui même en communication la lettre dans laquelle vous demandez à M. le colonel du 2e régiment du Génie, des renseignements sur le nommé D. . . ., ancien élève de la Colonie de Mettray.

Comme commandant la compagnie dont fait partie D. . ., depuis longtemps, je suis à même d'apprécier son caractère, sa conduite, et je suis heureux de vous apprendre qu'il n'a jamais donné lieu au moindre reproche.

D'une tenue toujours régulière, exact à son service, soumis à ses chefs, D. . . est un de ces jeunes gens qui savent se distinguer de la foule des troupiers en appliquant, ce qui ne s'oublie point, les bons principes d'une première éducation. Aussi peut-on croire avec raison que D. . . aurait pu parcourir avec fruit sa carrière militaire, s'il n'avait mieux aimé exercer la profession de tailleur. C'est à ce titre qu'il est dans ma compagnie. Il est trop jeune pour être un artiste, mais le travail qu'il est appelé à faire n'est pas au-dessus de ses forces, et il s'en acquitte avec zèle.

En un mot, Monsieur le Directeur, c'est avec grande satisfaction que j'ai l'honneur de vous répondre: D. . . est un excellent sujet, il sait mettre à profit les bonnes leçons de Mettray.

Veuillez agréer, Monsieur le Directeur, l'expression de mes sentiments les plus devoués.

Le Capitaine,
Signé: SOULÉ

Lezoux, 20 février 1854.

MONSIEUR,

Je m'empresse de vous renvoyer le bulletin que vous m'avez adressé au sujet de R. . . ., cordonnier à Lezoux, ci-devant colon de Mettray. Vous le trouverez, je pense, satisfaisant sous tous les rapports. Ce jeune ouvrier m'a intéressé d'une manière toute particulière, depuis que je l'ai connu à l'occasion de son mariage. Non-seulement je lui ai confié une fonction dans mon église, mais je l emploie comme cordonnier, je lui procure du travail et je lui viens en aide par des prêts d argent dont il n'a jamais abusé. J ignorais qu'il fût un des enfants égarés, plutôt que coupables, qu'on envoie à la Colonie Agricole que vous avez fondée et que vous dirigez avec tant de zèle, d'habileté et de succès; mais, loin de perdre ma confiance, il n'en aura que plus de droits à mon patronage, afin que votre œuvre, qui lui a été si utile pour réformer des penchants mauvais, soit continuée tout le temps qu'il pourra en avoir besoin. Ne soyez point inquiet, Monsieur, à cet égard, je tâcherai de vous remplacer auprès de cet enfant de Mettray, et aux soins que vous lui avez prodigués comme fondateur et directeur de la Colonie Agricole dont il a si bien profité, j'ajouterai ceux de pasteur dévoué et vigilant pour un paroissien qui est mon voisin, en même temps que le serviteur de mon église.

Recevez, Monsieur, l'expression des sentiments bien distingués avec lesquels j'ai l'honneur d'être,

Votre très-humble et très-dévoué serviteur,
Signé: COUTURIER, curé.

Rening, le 18 février 1854.

Nous soussignés, maire et curé de la commune de Rening, canton d'Alberstroff, nous nous joignons à tous les honnêtes gens de la commune pour remercier de tout notre cœur les charitables, pieux et généreux administrateurs et directeurs quelconques de la Colonie de Mettray, pour la bonne éducation qu'ils ont donnée au colon Z. . . qui était un vagabond, un enfant comme abandonné de Dieu et des hommes, et adonné à tous les vices du vaga-

bondage et du délaissement, ne sachant ni lire, ni écrire, ni sa religion, quand il a eu le bonheur d'entrer dans l'heureuse Colonie de Mettray, à l'âge de 11 ans jusqu'a l'âge de 18 ans, d'où il est sorti en état de servir son Dieu, sa patrie et de gagner sa vie. Nous remercions M. le Directeur des livres qu'il a daigné envoyer au maire et au curé de Reming.

Nous avons l'honneur d'être, de Monsieur le Directeur, les plus respectueux, humbles et reconnaissants serviteurs.

Le curé, J. PHOUPERT. *Le maire,* F. RAPP.

28e *régiment de Ligne.*

Rueille, le 27 *mars* 1854.

MONSIEUR LE DIRECTEUR,

En vous accusant réception de votre lettre du 21 mars, qui ne m'est parvenue que ce matin, j'ai l'honneur de vous informer que le sergent H. . . qui en fait l objet, a été libéré du service le 22 février dernier.

H. . . a laissé de bons souvenirs au 28e ; c'était un excellent sous-officier qui était en première ligne pour passer à une compagnie d'elite, et dont la conduite a toujours été non-seulement irréprochable, mais encore digne d'éloges.

Il est parti presque sans punitions.

Recevez, Monsieur le Directeur, l'assurance de mes sentiments les plus distingués.

Le Colonel,
Signé: A. SENCIER.

1er *régiment de Chasseurs à cheval.*

Tours, le 15 *avril* 1854

MONSIEUR,

Je suis heureux de pouvoir vous donner les meilleurs renseignements sur les nommés G. . ., L. . ., et R. . ., chasseurs dans le régiment que je commande.

Ces trois jeunes gens se sont toujours fort bien conduits depuis leur admission au corps, ils conservent les habitudes d'ordre, d'économie, de propreté et de soumission, résultat des bons principes et de l'éducation qu'ils ont puisés dans votre maison; aussi j'éprouve, je vous assure, un véritable plaisir à leur donner ce témoignage.

Veuillez agréer, Monsieur, l'assurance de ma considération la plus distinguée,

Le colonel du 1er *Chasseurs,*
Signé: de GOUSSENCOURT.

Nous ne croyons pas devoir pousser plus loin ces citations et nous nous contentons de déposer sur le bureau le rélevé de la correspondance de nos patrons.

M. Verdier s'occupe toujours avec un zèle infatiguable et un désintéressement qu'on ne saurait trop louer de ceux de nos enfants placés à Paris ; sa tâche a été augmentée encore cette année par le ralentissement du travail dans les ateliers et par l'accroisment du chiffre de nos patronés.

Quand nous pouvons craindre que l'état de chômage ne ce prolonge, nous renvoyons les enfants à la Colonie, où ils sont entièrement soumis à la discipline de la maison.

Ils viennent en quelque sorte se replacer sous l'aile du chef de famille qui les a élevés, qui a étudié leur caractère, et qui a, de longue date, mérité leur confiance.

Tous nos enfants placés dans les fermes des environs viennent passer le dimanche avec leurs camarades, assistent aux offices et s'asseyent, à l'heure des repas, à la table commune, à la place qu'ils avaient occupée lorsqu'ils étaient colons. Ceux qui sont engagés dans les régiments en garnison à Tours obtiennent très facilement de leur colonel de venir nous visiter, et amènent avec eux quelques-uns de leurs nouveaux camarades ; ils se font une joie de leur montrer la

maison qu'ils habttaient, le hamac dans lequel ils ont couché. Rien ne saurait mieux prouver q u'il ne reste dans l'opinion publique aucune impression fâcheuse contre nos enfants car on sait combien dans l'armée on est chatouilleux sur le point d'honneur.

Au surplus le législateur a pris le soin, lui-même, de définir la situation morale de nos jeunes colons, et nous a tracé la conduite que nous devions tenir à leur égard. Voici en quels termes s'exprime M· le Rapporteur de la loi sur l'éducation et le patronage des jeunes détenus.

" Que leur a-t-il manqué à ces malheureux enfants? Une famille qui, de bonne heure, leur ait donné des impressions honnêtes, des inspirations morales et religieuses.

" C'est donc une famille qu'il faut leur rendre, au sein d'un établissement, où des tuteurs justes et bienveillants sachent allier à la stricte régularité de la discipline, la bonté du cœur qui attire et attache, et la haute moralité qui inspire le goût et fait contracter l'habitude des choses honnêtes."

On voit donc qu'en cherchant à raviver dans le eœur de nos enfants les sentiments généreux et à les attendrir par de douces émotions, nous ne faisons qu'obéir aux vœux du législateur, et que montrer une plus grande sévérité serait aller contre ses intentions.

Nous nous sommes longuement étendu sur la conduite de nos enfants rendus à la liberté, mais la preuve de l'utilité de la fondation de notre œuvre est là tout entière.

Nous ne pouvons constater d'aussi heureux résultats sans en reporter le mérite à ceux de nos patrons dont le dévouement semble redoubler à mesure que le nombre des enfants soumis à leur tutelle augmente.

Dans l'impossibilité de les mentionner tous, nous nous contenterons de citer M. Marion, vice-président du tribunal civil de Nantes, qui ne se borne pas à exercer son influence sur nos enfants, mais qui l'étend encore sur leur famille. C'est aux soins qu'il a pris d'entretenir dans leur cœur le souvenir de la Colonie, que nous sommes redevables d'un des faits les plus touchants que nous ayons eus à enregistrer. M. Marion était le patron de M....

Nous vous parlerons également de M. Crépon, conseiller à la Cour impériale d'Angers, qui, à chaque présidence d'assises, n'oublie pas de rappeler à MM. les jurés qu'après avoir rempli le mandat de rigueur que la loi leur a confié, ils doivent s'estimer heureux de venir en aide, par une collecte, à une institution fondée pour prévenir le retour des méfaits qu'ils ont eus à réprimer.*

M. l'abbé Pelletier, vicaire genéral à Orléans, ne recule malgré ses nombreuses occupations devant aucune des démarches que réclame la surveillance des nombreux enfants placés sous son patronage.

M. Christy de la Palliére, ancien capitaine de vaisseau, à Lorient,

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* Le meilleur moyen de tèmoigner notre reconnoissance à MM. les présidents d'Assises qui voulent bien nous venir en aide, c'est d'enregistrer à la suite de ce Rapport le nom des honorables magistrats à l'initiative desquels nous devons les généreuses offrandes de MM. les Jurés.

et M. le docteur Philippe, médecin en chef de l'hôpital de Bordeaux, qui en sa qualité de médecin et chef de l'armée d'Afrique a rendu de si grands services à nos colons, ne nous montrent pas de moins vives sympathies.

Nous aurions bien d'autres documents à enregistrer, si l'espace ne nous manquait, et si nous ne craignions de tomber dans une trop longue énumération.

De toutes parts, dans toutes les localités, même les plus éloignées de Mettray, nous n'éprouvons aucune difficulté pour trouver des patrons à nos enfants : et nous pouvons vous affirmer sans exagération que nous n'avons que l'embarras du choix.

Nous vous devons quelques explications à cet égard.

Nous recevons à Mettray un grand nombre de visiteurs auxquels nous faisons le meilleur accueil possible, ainsi qu'à leur famille dont ils sont souvent accompagnés. On leur montre la Colonie dans tous ses détails ; ils sont pour lo plupart touchés de ces prévenances et protestent de leur bon vouloir, dont nous profitons à l'instant même, en les priant, si quelques-uns de nos enfants retournaient habiter près d'eux, de vouloir bien en prendre soin ; ce à quoi ils souscrivent de grand cœur, sous l'inspiration de Mettray.

La magistrature veut bien aussi ne pas oublier que nous n'avons quitté ses rangs que dans le but de donner à la loi une plus juste et surtout une plus salutaire application. Nous trouvons en elle un puissant auxiliaire ainsi que nous venons de le constater.

Nous avons ouvert un registre depuis la fondation de la Colonie, où les noms de tous les visiteurs sont inscrits avec l'annotation des offres de services qui nous ont été addressées.

On faite le relevé de ce registre par département, et nous le consultons toutes les fois que nous avons un enfant à placer.

Nous nous sommes permis de vous donner tous ces détails, afin de vous convaincre de la sincérité de nos assertions, quand nous vous parlions de l'empressement que nous trouvions de toutes parts à vous venir en aide.

Si nous recontrons en France les plus vives sympathies, votre œuvre n'inspire pas moins d'intérêt à l'étranger.

Il est question, en ce moment, de rendre une loi en Angleterre sur les jeunes détenus, et les publicistes qui s'occupent le plus spécialement d'en préparer les éléments, entre autres lord Brougham qui nous a honoré tout récemment de sa visite,* ont bien voulu nous

* Nous ne saurons dépeindre l'impression qu'a produite le séjour du noble Lord à la Colonie qui a compris toutes les obligations que lui imposait une dèmarche aussi bienveillante de la part d'un aussi illustre personnage.

Lord Brougham a bien voulu entrer dans les plus simples details et a daigné prendre place à la table des agents de la Colonie et s'entretenir avec eux de la nature de leurs différents emplois. Tout le monde a senti le prix d'une telle déférence. Nous n'oublierons jamais l'émotion qu'il a éprouve lorsqu'il a entendu notre musique militaire exécuter le *God save the Queen* et en voyant le drapeau anglais hissé au mât de notre navire à côté du pavillon français.

demander de nombreux documents sur le système suivi à Mettray ; nous nous sommes empressé de satisfaire à ces demandes avec le plus grand zêle. Dans ce beau domaine de la charité, nous ne faisons qu'un peuple, sans douane, sans frontière, sans distinction d'origine.

Mais il ne suffit pas, Messieurs, que l'on puisse trouver à Mettray d'utiles renseignements, vous devez désirer encore que parmi vos agents il en sorte un certain nombre qui aillent porter au loin le fruit de leurs études et de leur expérience :

Nous osons donc espérer que vous approuvez le sacrifice auquel nous avons consenti, non sans un vif regret, en nous séparant d'un de nos plus anciens chef de famille, M. Leteur.* Voici dans quelles circonstances :

M. Fournet a fondé sur sa propriété, par suite d'un traité passé avec les hospices de Paris, une colonie d'orphelins et d'enfants trouvés à Montagny, prés Châlons-sur-Saône. Il a été frappé, en étudiant notre administration, des excellentes maniéres de nos agents et des bons sentiments qui les animent, et il m'a demandé s'il ne serait pas possible de nous séparer de l'un d'eux pour le seconder dans sa récente entreprise ; nous avons cru devoir acquiescer à sa demande, et nous sommes allé nous-même, tout récemment, installer M. Leteur dans ses nouvelles fonctions de sous-directeur de la Colonie de Montagny. Puisse ce rameau, détaché en quelque sorte de la tige de Mettray, pousser de profondes racines et porter de bons fruits !

Nous somme tout naturellement amené, Messieurs, en payant à M. Leteur le juste tribut d'éloges qui lui est dû pour ses bons et loyaux services, à vous parler des agents qui nous restent, et au milieu desquels notre existence se passe de la manière la plus douce, et pour ainsi dire, en famille.

La perte de M. de Courteilles, que le temps semble grandir en ajoutant à l'isolement qu'elle nous cause, nous a forcé d'étendre les attributions des employés placés sous nos ordres, afin de suppléer, autant que possible, à une si puissante et si douce collaboration.

Ainsi M. Blanchard, qui avait le titre de greffier en chef, est chargé de diriger la Colonie en mon absence, et il me supplée de manière à ne laisser aucun sujet de préoccupation. Nous ne pou-

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Lord Brougham n'a pas voulu qnitter l'établissement sans y laisser une preuve de sa généreuse sympathie, et nons espérons pouvoir construire une maison qui portera au frontispice (à l'exemple des maisons construites aux frais de nos départments) ces mots : FONDEE PAR L'ANGLETERRE.

Au moment où nous écrivons ces lignes, nous venons de recevoir la visite de M. le marqnis et de M^me^ la marquise de Londonderry qui sous tous les rapports n'ont pas montré de moins vives sympathies que leur illustre compatriote.

* M. Leteur est parent de M. Leclerc, savant èconomiste, le premier de nos fondateurs, dont nous ne saurions trop déplorer la perte. Heureux, si, en étant utile à un des siens, nous pouvons prouver à la famille de cet homme de bien jusqu'à quel point la mémoire de son auteur nous est chère.

vons rien dire qui lui soit plus favorable. Nous lui avons donné le titre d'Inspecteur.

L'extension qu'a prise la Colonie, l'augmentation des valeurs qu'elle possède donnent à notre comptabilité une nouvelle importance, et nous a conduit à nommer M. Mahoudeau Chef de la comptabilité, comme une juste récompense de la capacité dont il fait preuve, et que votre commission des finances sait si bien apprécier.

Puisque nous vous avons parlé du service de notre comptabilité, nous croyons devoir vous signaler l'utile concours que M. Mahoudean a trouvé de la part de M. Arnoux, le plus ancien de tous nos agents, aujourd'hui employé comme caissier.

Enfin, par suite de la nomination de M. Blanchard, le poste de greffier se trouvant vacant, nous l'avons tout naturellement confié à M. Cordier qui, en qualité de greffier adjoint, nous avait offert toutes garanties pour ces nouvelles fonctions, il est en outre chargé de l'enseignement de la musique vocale à nos colons d'après la méthode Wilhem ; on ne saurait non plus trop louer son zèle à cet égard.

Il est, Messieurs, des valeurs d'intelligence et de cœur qui ne se remplacent jamais, je suis cependant heureux de proclamer bien haut que j'ai trouvé chez tous nos agents un redoublement de zèle qu'on ne saurait trop louer ; ils se sont efforcés, chacun dans la sphère de ses attributions, de prouver qu'ils étaient dignes de l'affection de celui qu'ils ont perdu, en cherchant à ne pas laisser déchoir l'œuvre fondée par leur bienfaiteur, par leur père. Aussi depuis la mort de M. de Courteilles nous ne nous sommes pas vus dans la nécessité de nous séparer d'un seul d'entr'eux, et pourtant la discipline de Mettray nous impose le devoir d'user d'une certaine rigueur.

Nous vous avons parlé, Messieurs, de l'utile coopération que nous avons trouvée dans nos agents.

Mais en constatant ces heureux résultats, nous sommes amené naturellement à remonter des effets aux causes, c'est-à-dire à vous parler de cette œuvre que vous avez fondée même avant la Colonie, sachant bien qu'en France ce ne sont pas les idées qui manquent, mais bien les hommes capables d'en faire une saine application. Vous avez déjà nommé notre *École Préparatoire.* Nous nous sommes montré plus sévères que jamais dans l'admission de nos élèves, aussi devons-nous dire que la conduite de tous est exemplaire. C'est avec bonheur que nous voyons les traditions de Mettray, confiées à ces jeunes âmes profondément chrétiennes, qui sauront, lorsque nos forces trahiront notre zèle, continuer l'œuvre de Mettray.*

Chaque élève, au moment de la classe, seconde de son mieux l'instituteur, dans la tâche si ingrate d'instruire des enfants, dont la plupart ne sont arrivés chez nous que par suite de leur antipathie pour l'école, qu'ils ont déserté afin de se livrer au vagabondage.

Vous comprendrez, dès lors, jusqu'à quel point leur première education a été négligée, et qui ne saite combien l'intelligence est

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* Vingt de nos élèves, à leur sortie de la Colonie, sont entrés dans l'enseignement public. Ils ont appris chez nous, non-seulement à instruire les hommes, mais l'art plus difficile de leur inspirer l'amour du bien.

rebelle une fois le temps de la jeunesse écoulé sans qu'elle ait été cultivée. Cependant le relevé suivant, qui constate le degré d'instruction de nos colons, est satisfaisant et témoigne du zèle de M. Quesnel, notre instituteur.

Les résultats ne sont pas moins satisfaisants sous le rapport de l'instruction primaire.

Sur 1679 colons reçus à Mettray depuis sa fondation jusqu'au 1er janvier 1854 :

1,065—sont arrivés complétement illétrés.
348—avaient un commencement de lecture.
183—savaient lire.
83—savaient lire et écrire.

Au 31 décembre 1853, sur 571 colons présents :
419—savaient lire.
102—avaient un commencement de lecture.
14—commençaient à épeler.
36—étaient completement illétrés.
209—savaient lire et écrire.
118—écrivaient en gros.
19—écrivaient sur des ardoises.

Presque tous les colons libérés, à très-peu d'exceptions près, sont sortis sachant lire, écrire et compter.

La musique vocale d'après la méthode Wilhelm leur est enseignée à tous, et nous avons cru devoir faire profiter de l'enseignement de la musique instrumentale et du plain-chant, ceux dont les dispositions et la bonne conduite nous ont permis de leur accorder cette faveur à titre de récompense.

Quelques notions de dessin linéaire sont aussi données aux colons qui apprennent les professions de menuisiers, charrons et peintres.

Si les facultés intellectuelles de nos enfants laissent à désirer, le physique de notre population est loin aussi d'avoir suivi le développement ordinaire. Il n'y a pas de visiteurs qui ne soient surpris, toutes les fois qu'ils nous interrogent sur l'âge de nos enfants, de la petitesse de leur taille. Ces derniers sont pour la plupart, en arrivant chez nous, d'une nature souffreteuse ; et c'est surtout à l'égard des nouveaux venus que la maladie sévit avec plus d'intensité, ce qui nous donne un grand nombre de journées d'infirmerie. Au surplus, nous aurions tort de nous plaindre de l'état sanitaire de nos colons ; car, bien que nous ayons augmenté en nombre, la mortalité a encore été plus faible que lorsque nous avions une population moins considerable. Sur 584 enfants présents, nous ne comptons que trois décès depuis un an, c'est-à-dire un sur 160. La mortalité de la ville de Tours a donné dans le même période 3 pour cent.

Deux médecins sont chargés du service de notre établissement ; ce sont : MM. les docteurs Anglada et Allain-Dupré, médecin en chef à l'hôpital de Tours ; il est impossible de faire preuve de plus de zèle, et d'un zèle plus éclairé.

Il résulte de l'intéressant rapport de ces Messieurs, que nous joignons aux pièces justificatives déposées dans vos archives, que si les travaux des champs opèrent, pour ainsi dire, des miracles sur les

enfants scrofuleux, il faut reconnaître cependant que ce genre d'occupation engendre certaines maladies, auxquelles sont beaucoup moins exposés les ouvriers qui travaillent dans les ateliers sédentaires.

Nos enfants, que nous regardons comme un devoir de faire travailler même par les temps les plus rigoureux, afin qu'ils puissent, plus tard, supporter énergiquement la vie de labeur qui leur est réservée, ne possédant pas d'autre fortune que leurs bras ont souvent à souffrir des variations atmosphériques.

A Dieu ne plaise que cette observation secondaire nous porte à contester les bons résultats que nous obtenons, tant sous le rapport moral que sous le rapport physique, á l'aide de l'agriculture. Les produits obtenus par elle, cette année, sont aussi des plus satisfaisants, et font le plus grand honneur à M. Minangoin, si bien secondé par les agents placés sous ses ordres. Du reste, nous croyons devoir nous abstenir d'entrer dans aucune explication à cet egard. M. le comte de Gasparin, notre digne président, qui, dés l'origine, a bien voulu prendre la haute direction de notre agriculture, a consenti, cette année comme les précédentes, à vous faire part du résultat des observations qu'il a consignées sur place, pendant les instants qu'il a bien volu nous consacrer.

Ce travail, en constatant les progrét toujours croissants de notre agriculture, peut être considéré comme un document de la plus haute importance pour les agronomes ; il témoigne de l'intérêt que M. le comte de Gasparin ne cesse de porter à Mettray ; il est des noms qui valent tout un éloge pour les institutions auxquelles ils se rattachent. Ainsi s'explique la confiance que Mettray a su inspirer !

D'un autre côté, votre comité de finances, dont le zéle est en quelque sorte permanent, car nous ne cessons de faire appel à ses lumières, controle, avec le plus grand soin, les dépenses qu'il a cru devoir autoriser : malgré la prudence qui préside a toutes ses décisions, il n'a pas hésité à consentir à l'acquisition d'une assez vaste étendue de terrain qui environne la Colonie. On nous a souvent reprochè de nous être établis sur un sol qui ne nous appartenait pas, et d'avoir tourner au profit des étrangers les améliorations apportés par la bonne culture de nos terres, améliorations dont nous eussions pu profiter nous-mêmes.

Mais il fallait d'abord songer à ériger les constructions qui étaient indispensables pour loger notre nombreuse population et assurer tous les services, dans de bonnes conditions de durée.

Mettray se recommande donc plus que jamais à la bienfaisance de nos concitoyens, car, de jour en jour, cette institution semble offrir plus de garanties. Reconnu par le Conseil d'Etat comme établissement d'utilité publique, on est assuré que toutes les libéralités dont il peut être l'objet auront une destination qui profitera au pays. Les legs faits en sa faveur, et tont le relevé so trouve à la suite de la liste des fondateurs, prouvent la confiance que cette institution inspire * Malheureusement ces libéralités sont très-insuffisantes

* Conseils généraux se sont déjà faits fondateurs de Mettray. Tout doit nous faire espérer que bientôt nous pourrons nous prévaloir de l'assentiment des 86 départments, c'est-á-dire de la France entiére.

pour faire face aux obligations que nous avons à acquitter. Soyons confiants dans la Providence qui n'a cessé de bénir notre œuvre !*

Chaque année, Messieurs, voit s'augmenter en France le nombre des colonies agricoles ; c'est une preuve de plus que lorsqu'une question d'intérêt général répond aux besoins les plus urgents de notre époque, l'opinion publique peut bien la discuter à ses débuts, même la contester ; mais lorsque du domaine des idées elle passe dans celui des faits, et qu'elle donne tout ce qu'on pouvait en attendre, alors on la voit se reproduire de toutes parts et exciter les plus vives sympathies.

Il est des systèmes qui ne réalisent rien, mais c'est parce qu'ils imaginent l'impossible. Mettray a posé la limite, le point de depart entre le progrès et l'utopie, c'est pourquoi Mettray a rencontré des imitateurs.

Espérons, Messieurs, qu'il trouvera des soutiens. Jamais nous n'en avons eu plus besoin.

Au moment du renchérissement des subsistances, au lieu de chercher à diminuer le nombre de vos enfants, vous avez consenti à l'augmenter ; ce n'est pas lorsque la misère sévit de toutes parts, que les institutions de la nature de la vôtre doivent fermer leurs portes. En agissant ainsi vous avez acquis de nouveaux droits à la bienveillance du gouvernement et le pays vous tiendra compte de la confiance que vous avez eue en lui, du secours, disons-le, que vous lui avez prêté. Nous demandons, pour des résultats accomplis, des dons qu'on acorde souvent à de simples promesses, à de lointains espérances.

Mettray prend un développement immense ; votre patronage s'étend de jour en jour sur une famille plus nombreuse ; que les largesses de nos bienfaiteurs augmentent en proportion de nos sacrifices, des obligations que vous avez contractées.

Nous faisons appel aux âmes vraiment chrétiennes ; nous serons écoutés.

Qui fait le bien prête à Dieu.

DEMETZ,

Conseiller honoraire à la Cour Impériale de Paris, Membre du Conseil Général de Seine-et-Oise.

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* Madame Lestrade a consacré une somme de 4,000 fr. pour faire construire une maison sur le fronton de laquelle on lit : *Maison de M. Lestrade, fondation de sa veuve.* Cette dame a compris que la meilleure manière d'honorer la mémoire de celui dont elle déplore la perte était de l'associer encore après sa mort à ses sentiments généreux.

convicted, in addition to the Sentence then and there passed as a Punishment for his Offence, to direct such Offender to be sent, at the Expiration of his Sentence, to some One of the aforesaid Reformatory Schools to be named in such Direction, the Directors or Managers of which shall be willing to receive him, and to be there detained for a Period not less than Two Years and not exceeding Five Years, and such Offender shall be liable to be detained pursuant to such Direction: Provided always that no Offender shall be directed to be so sent and detained as aforesaid unless the Sentence passed as a punishment for his Offence, at the Expiration of which he is directed to be so sent and detained, shall be one of Imprisonment for Fourteen Days at the least; provided also, that the Secretary of State for the Home Department may at any Time order any such Offender to be discharged from any such School.

Power to Treasury to defray Cost of Maintenance at Reformatory.

III. It shall be lawful for the Commissioners of Her Majesty's Treasury, upon the Representation of One of Her Majesty's Principal Secretaries of State, to defray, out of any Funds which shall be provided by Parliament for that Purpose, either the whole Cost of the Care and Maintenance of any Juvenile Offender so detained in any Reformatory School as aforesaid, at such Rate per Head as shall be determined by them, or such Portion of such Cost as shall not have been recovered from the Parents or Step-parents of such Child, as herein-after provided, or such other Portion as shall be recommended by the said Secretary of State.

Absconding or refractory Conduct at Reformatory School, how to be punished.

IV. And whereas it is expedient that some Provisions should be made for the Punishment of any Juvenile Offender, so directed to be detained as aforesaid in such Reformatory School, who shall abscond therefrom, or willfully neglect or refuse to abide by and conform to the Rules thereof: Be it enacted, That it shall and may be lawful to and for any Justice of the Peace, or in Scotland, for any Sheriff or Magistrate of a Burgh, or Police Magistrate, acting in and for the County, City, Borough, Riding, or Division wherein the said Offender shall actually be at the Time he shall so abscond, or neglect or refuse as aforesaid, upon the Proof thereof made before him upon the Oath of One credible Witness, by Warrant under his Hand and Seal, or in Scotland under his Hand, to commit the Party so offending for every such Offence to any Gaol or House of Correction for the said County, City, Borough, Riding, or Division, with or without Hard Labour, for any Period not exceeding Three Calendar Months.

Cost of Maintenance to be partly recovered from Parents, &c.

V. The Court by which any Juvenile Offender is ordered to be detained as aforesaid under this Act shall charge the Parent or Step-parent of such Offender, if of sufficient ability to bear the same, with a Sum not exceeding Five Shillings per week towards the Maintenance and Support of each Juvenile Offender while remaining in such Reformatory School, such Payment to be in relief of the Charges on Her Majesty's Treasury in all Cases where the Treasury shall have defrayed or undertaken to defray the whole or any Portion of the Maintenance of such Offender, and in all other Cases such Payment to be made to the Directors or Managers of such Reformatory School.

VI. For the better compelling the Parent or Step-parent, as the Case may be, to support and maintain wholly or partly every such Juvenile Offender while in such Reformatory School, the provisions contained in the Act passed in the Forty-third Year of the Reign of Queen Elizabeth, intituled *An Act for the Relief of the Poor*, for compelling the Parent of every poor Person, being of sufficient Ability, at their own Charges to relieve and maintain such poor Person, and also the provisions in the like Behalf contained in an Act passed in the Fifty-ninth Year of the Reign of King George the Third, intituled *An Act to amend the Laws for the Relief of the Poor*, and in an Act passed in the fifth Year of the Reign of King William the Fourth, intituled *An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales*, shall be respectively held and deemed and the same respectively are hereby directed to be applicable, within England and Wales, to the compelling the Parent or Step-parent respectively of every such Juvenile Offender to maintain or support him, either wholly or partly, while remaining in such Reformatory School, and for the Recovery of the weekly Payment so charged upon such Parent or Step-parent; and in Scotland such Payment may be sued for and recovered at the Instance of the Procurator Fiscal or of the Treasurer of such Reformatory School in the Sheriffs' Small Debt Court, and the Provisions of an Act passed in the Eighth and Ninth Years of Her Majesty, intituled *An Act for the Amendment and better Administration of the Laws relating to the Relief of the Poor in Scotland*, for the Punishment of Parents deserting their Children, or refusing or neglecting to maintain them, shall be held and deemed and are hereby directed to be applicable to the Case of Parents or Step-parents refusing or neglecting to pay the Amount so charged upon such Parent or Step-parent as aforesaid.

For compelling Parent or Step-parent to support Juvenile Offenders while remaining in Reformatory School.

VII. It shall and may be lawful for Her Majesty's Secretary of State for the Home Department, if he shall think fit to do so, to remove any such Youthful Offender from one Reformatory School to another: Provided always, that such Removal shall not increase the Period for which such Offender was sentenced to remain in a Reformatory School.

Juvenile Offenders may be removed from one Reformatory School to another.

VIII. This Act shall not apply to Ireland.

Act not to apply to Ireland

The following letter from Mr. Adderley will explain his views upon this Bill; they are the views of every friend of the Reformatory School Movement.

TO THE EDITOR OF THE STAFFORDSHIRE ADVERTISER.

SIR,—As you have yourself taken so enlightened an interest in the treatment of criminal children, and their removal out of prisons into schools, where they might be better trained, and as the sessions of our county have taken a lead in urging on the Legislature to follow the successful example of other countries in this respect, I trust you will allow me one word on the Youthful Offenders' Bill, which has at last become law.

The deputation to Lord Palmerston, which was the result of the renewed conference on this subject in Birmingham, drew from his lordship a promise that the Government would carry through a measure this year. It soon, however, appeared that the measure asked for had no chance of success.

I therefore took upon myself to submit to Lord Palmerston a smaller bill, authorising Government to make use of voluntarily-established reformatories, and magistrates and judges to commit children, after fourteen days' imprisonment, to further detention in them, charging their cost, in the first instance on their parents, and, in supplement, on the Treasury.

Such is the bill which, after no small trouble, has been carried through Parliament, both for England, and, *mutatis mutandis*, for Scotland also.

I confess I should be ashamed of its parentage, but for the impossibility of carrying a better measure, and the paramount importance of taking a first step without further delay.

The French have proved the successful issue of the true principle, namely, that when criminals of tender years are brought before the courts of justice, there should be allowed a discrimination to the judge between the acts which such children may have committed "sans discernement," from parental negligence, or circumstances of moral destitution, and those which have no such excuse. The former are by them treated not as crimes, but as proofs of want of proper care and training on the part of the parent; and schooling, not imprisonment, is applied to their correction. The latter are treated as crimes, and punished accordingly; not, indeed, with the same punishments as are given to adult criminals, but still with proper punishments.

This Act of Parliament consigns all criminal children, however different or exculpatory the circumstances of their crimes, to prison, for a minimum term of 14 days, and that term was reduced with difficulty to 14 days from Lord Palmerston's first proposition of 60 days.

My only consolation is that it will be impossible for Parliament to leave the subject in so anomalous a state; especially as the country are fully aware of the right principle, and anxious to adopt it. Further legislation must follow next session, and meanwhile existing institutions may be usefully brought to bear in the way of experiment.

The infliction on negligent parents of the cost of maintenance in reformatories, of children they will not educate at home, and the acknowledgement on the part of the treasury that the national purse should supply the remainder of the expense, are two great points to have gained.

I am, sir, your obedient servant,
C. B. ADDERLEY.

Hams, Aug. 8, 1854.

In connexion with this Act and Letter, we think it well to insert here the Resolutions adopted by the House of Lords, on the motion of Lord Brougham, on Friday, the 4th of August, 1854, and which gave occasion for that powerful speech from which we have inserted an extract:—

"1. That the increase in the means of education for the people which had begun a few years before the year 1818, when the first returns were made, and had proceeded steadily till the year 1838, when the nex[t] returns were made, has been continued since, although less rapidl[y] as regards the number of schools and teachers, but with considerable[y] improvement both in the constitution of the additional seminaries, and the quality of the instruction given.

2. That the returns of 1818 give as the number of day schools of all kinds 19,230, attended by 674,883 scholars; of Sunday schools, 5,463, and Sunday school scholars, 425,533; the returns of 1833, 38,971 day schools, and 1,276,947 scholars, and 16,828 Sunday schools, and 1,548,890 scholars; the returns of 1851, 46,042 day schools, and 2,144,378 scholars, 23,514 Sunday schools, and 2,407,642 scholars.

3. That the population having increased during these two periods from 11,642,683 to 14,386,415 and 17,927,609, the proportion of the day scholars to the population in 1818 was 1-17 25, of Sunday scholars 1-24·40; in 1833 of day scholars 1-11·27, of Sunday scholars 1-9·28; in 1851 of day scholars 1-8·36, of Sunday scholars 1-7·45; showing a more rapid increase, but more especially of Sunday scholars, in the first period than in the second, while the population has increased more rapidly during the second period, its increase being at the rate of 180,000 a year during the first period, and 197,000 a year during the second.

4. That there is reason to believe that the returns of 1818 are less than the truth, that those of 1833 have considerably greater omissions, and that those of 1851 approach much nearer the truth, from whence it may reasonably be inferred that the increase during the first fifteen years was greater than the returns show, that the increase during the last eighteen years was less than the returns show, and that the increase proceeded during the last period at a rate more diminished than the returns show.

5. That before the year 1833 the increase was owing to the active exertions and liberal contributions of the different classes of the community especially of the upper and middle classes, whether of the Established Church or of the dissenters, the clergy of both Church and sects bearing a large share in those pious and useful labours.

6. That in 1833 the plan was adopted which had been recommended by the education committee of the House of Commons in 1818, of assisting by grants and money in the planting of schools, but so as to furnish only the supplies which were required in the first instance, and to distribute those sums through the two school societies, the national and the British and Foreign.

7. That the grants of money have since been largely increased, and that in 1839 a committee of the privy council being formed to superintend their distribution, for increasing the number of schools, for the improvement of the instruction given, it has further applied them to the employment of inspectors and the training of teachers.

8. That of the poorer and working classes, assumed to be four-fifths of the population, the number of children between the ages of three and fifteen are 3,600,000, and at the least require day schools for one half, as the number which may be expected to attend school, regard being had to the employment of a certain proportion in such labour as children can undergo; and that consequently schools for one-eighth of the working classes of the poor are the least that can be considered as required for the education of those classes.

9. That the means of education provided are still deficient; because of the 2,144,378 day scholars now taught at the schools of all kinds, not more than about 1,550,000 are taught at public day schools, the remaining 500,000 being taught at private schools, and being, as well as about 50,000 of those taught at endowed public schools, children of persons in the upper and middling classes, so that little more than 1,500,000 of the day scholars are the children of the poor, or of persons in the work-

ing classes; and thus there are only schools for such children in the proportion of 1-9·6 of the numbers of the classes to which they belong instead of $\frac{1}{8}$, leaving a deficiency of 300,000, which must increase by 20,000 yearly according to the annual increase of the population.

10. That this deficiency is considerably greater in the large towns than in the other parts of the country, inasmuch as it amounts to 130,000 in the aggregate of the towns which have above 50,000 inhabitants, and is only 170,000 in the rest of the country; the schools in these great towns being only for 1–11·08 of the working classes, and the rest of the country for 1–9·2 of these classes, deducting 50,000 taught at endowed schools.

11. That the deficiency in the number of the teachers is still greater than in the number of scholars, inasmuch as eight of the largest towns appear to have public day-schools with 208 scholars on an average, the average of all England and Wales being 94 to a school; that there are assistant and pupil teachers in many of these schools, and paid masters in others; but that there is the greatest advantage in increasing the number of teachers, this being one of the chief benefits of Sunday schools, while the plan formerly adopted in the new schools of instructing by monitors among the scholars themselves, is now properly allowed to fall into disuse.

12. That the education given at the greater number of the schools now established for the poorer classes of people is of a kind by no means sufficient for their instruction, being for the most part confined to reading, writing and a little arithmetic; whereas, at no greater expense, and in the same time, the children might easily be instructed in the elements of the more useful branches of knowledge, and thereby trained to sober industrious habits.

13. That the number of infants' schools is still exceedingly deficient, and especially in those great towns where they are most wanted for improving the morals of the people and preventing the commission of crimes.

14. That while it is expedient to do nothing which may relax the efforts of private beneficence in forming and supporting schools, or which may discourage the poorer classes of the people from contributing to the cost of educating their children, it is incumbent upon parliament to aid in providing the effectual means of instruction where these cannot otherwise be obtained for the people.

15. That it is incumbent on parliament to encourage in like manner the establishment of infants' schools, especially in larger towns.

16. That it is expedient to confer upon the town councils of incorporated cities and boroughs the power of levying a rate for the establishment and support of schools under the authority of and in co-operation with the Education Committee of the Privy Council, care being taken as heretofore that the aid afforded shall only be given in cases of necessity, and so as to help and encourage, not displace, individual exertions.

17. That the permission to begin and to continue the levying of the rate shall in every case depend upon the schools founded or aided by such rate being open to the children of all parents, upon religious instruction being given, and the Scriptures being read in them, but not used as a school book, and upon allowing no compulsion either as to the attendance at religious instruction or at divine service in the case of children whose parents object thereto, and produce certificates of their attending other places of worship.

18. That the indifference which has been found of the parents in many places to obtain education for their children, and a reluctance to forego the advantages of their labour by withdrawing them from school, is mainly owing to the ignorance of their parents, and this can best be removed by the encouragement of a taste for reading, by the establishment of mechanics' institutions, apprentices' libraries, and reading rooms and by the abolition of all taxes upon knowledge.

19. That in towns there have been established upwards of 1200 of such institutions and reading rooms, with above 100,000 members, but that by far the greater number of these members are persons in the upper and middle classes, a very small proportion only belonging to the working classes; but it has been found in some parts of the country, particularly in Cumberland, that when the whole management of the affairs of the institutions is left in the hands of the working men themselves, a very great proportion of the attending members belong to that class, and both by frequenting the rooms and taking out the books to read, show their desire of profiting by the institution.

20. That in every quarter, but more especially where there are no reading-rooms in the country districts, the great obstacle to diffusing useful knowledge among the people has been the newspaper stamp, which prevents papers containing local and other intelligence from being added to such works of instruction and entertainment as might at a low price be circulated among the working classes, and especially among the country people, along with that intelligence.

21. That the funds given by charitable and public spirited individuals and bodies corporate for promoting education, are of a very large amount, probably when the property is improved and the abuses in its management are corrected, not less than half a million a year; and that it is expedient to give to the board formed under the Charitable Trusts Act of 1853 such additional powers as may better enable them, with the assent of trustee and special visitors (if any), to apply portions of the funds now lying useless to the education and improvement of the people."

PARIS CORRESPONDENCE.

No. I.

To see a great city is amongst the earliest aspirations of our youth. To tread that pavement of gold, to sit beneath those roofs of crystal so cunningly devised by the weird architect we erst called nurse, is a dream we all have cherished; and when enlightenment comes with the schoolmaster, our first fancy only assumes a more substantial shape. Stone and mortar take the place of glass—at least they were wont so to do, till Paxton put back the clock, and realized the nursery tale. What boy has not heard or read of the walls of Babylon, of the hundred gates of Thebes? Years roll on, and the boy, become a man, is content to pass beneath the arch that "dominates" the Champs Elysées, and to tread the boulevards which occupy the site of the ancient walls of Paris. The mere name wakens up associations that link the world we live in to the world of long ago. "August Athenae" had not long fallen from her pre-eminence, Jerusalem was still the home, had not as yet become the monument, of the chosen people, Rome had not seen the day of her greatest prosperity, when Paris existed, then the miserable hamlet of a rude tribe, now the capital of Europe. London is the chief city of England, and of "something more," but Paris is cosmopolitan. It possesses a more widely extended interest, and, in better times especially, presents vicissitudes which have made it the epitome of human history. The Huguenot war, the Ligue, the Fronde, Louis le Grand, Voltaire, the Girondins, Robespierre, the Directory, Bonaparte, Wellington, the Restoration, the barricades of '30, of '48, Napoléon Trois—faith even to fanaticism, turbulence, the power and splendor of a royal despotism, disbelief, liberty, vengeance, profusion with the mask of patriotism, victory, invasion, the old tradition for a place of refuge, the constitutional monarchy, the masses, and the "ére des Césars" for the second time in eighteen hundred years. London has no experience like to this. Her life has long been one of monotonous prosperity and civil prescription; Paris has tested, suffered, and enjoyed all things.

Its origin has been the subject of strange romances to the learned of the sixteenth century. According to those ingenious and intrepid gentlemen, ingenious in conjecture, and intrepid in its publication, a prince named *Francus* an *emigré* from the sack of Troy, escaped to

Gaul, and built a city, which he named *Paris* in honor of his uncle, the *jeune homme charmant* whose *liaison* with a celebrated beauty of his day originated the ruin of a great Kingdom, and the writing of a great poem, whose author did not live long enough to be admitted a member of the French Academy. These learned men of the sixteenth century established to their own satisfaction the genealogy of the Kings who succeeded *Francus*, recounted their exploits, traced the institutions which were cradled by one monarch, and coffined by another, and threatened to publish the secret memoirs of more than one lady of quality who figured at the court of the Trojan dynasty. They by no means forgot *Francus* in the interest inspired by the autobiophies "of the period," and, at length, acknowledged him to have been of the stock of Samothes, son of Japhet, and grandson of Noah. "Hence", as the showman says, the belief that the rafters of the Tuileries are made out of the ribs of Noah's ark. But, whatever has not been the origin of our city of Paris, for our knowledge of what it has been we are indebted to no less a personage than the warrior historian, Julius Cæsar. The *Parisii* were a nation of fugitives from their primal abodes, who obtained permission from a powerful people of Gaul, called the *Senones*, to establish themselves on the frontiers of the territory possessed by the latter, and on the banks of the Seine. When Cæsar entered Gaul, the old men of the Parisian tribe preserved the recollection of the settlement, which took place fifty years before, and of the treaty with their protectors. The river Seine traversed the territory which had been granted them, and, dividing in its course, formed five islands, of which the largest was chosen by the emigrants for their strong place in times of hostile incursion. It was called *Lutetia*—it is now the *Cité*, the centre of modern Paris, containing within its narrow limits the Church of Notre Dame, the Palais de Justice, and the great hospital of Paris, the Hôtel Dieu.*

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* The terse eloquence of this simple and beautiful designation has been strangely degraded by the *bêtise* I here record. I have seen a novel, which appeared in an Irish provincial newspaper, in which the author informs us that two of his personages—a bride and bridegroom, as well as I remember—"arrived at Paris, and took up their residence at the *Hôtel Dieu*." This genius appears to have had eccentric ideas on the subject of "taking his ease at his inn."

Of ancient Paris, such as it existed under the Roman domination, there exist, to this hour, relics of absorbing interest—the ruins of a Palace, which was most probably constructed about the end of the third century, by Constantius Chlorus, the contemporary, and colleague in the empire, of Diocletian. A French historian of comparatively modern times, having asserted that it was founded by the Emperor Julian, the ruins have since improperly borne the name of the latter, who was the grandson of the Emperor above named, to whom its construction is more justly attributed. The misnomer is established by long usage, and, notwithstanding that the learning of subsequent authors has enlightened the subject, the name of *Palais* or *Thermes de Julian* (the Palace or Baths of Julian) is universally given to the ruins of the Palace of Constantius Chlorus. That Julian resided there is, however, undoubtedly true. In his *Misopogon*, which he wrote at Antioch, he makes mention of it; and in his proclamation addressed to the senate and people of Athens, refers repeatedly to this imperial residence, where he lived with his wife Helena, and further, he speaks of a chamber adjoining hers, where he set himself to reflect upon the means of appeasing a mutiny. The historian Zozimus informs us that the soldiery, dissatisfied with an order to march to the frontiers of Persia, revolted, and proclaimed Julian, who then resided at Paris. He refused the proffered dignity, whereupon they attacked the palace, and stormed its gates. Ammianus Marcellinus narrates the affair at greater length, and mentions the subterranean vaults where Julian took refuge from his military friends, who seemed bent on killing him with kindness. Two halls of this palace, communicating with each other, are still in existence, and are known by the name of the *Thermes*. They adjoin the Hôtel Cluny, and are filled with interesting relics of antiquity, amongst the rest, several altars consecrated to Jupiter, which were discovered in the beginning of the 18th century, in digging a vault under the choir of the famous cathedral of Notre Dame. They are adorned with bas-reliefs of Roman and Gallic divinities, and their inscriptions have been decyphered. These inscriptions, unskilfully executed, discover the clumsy corrections of the careless artist, who was obliged to supply to imperfect words the omitted letters by carving them *over* the words to which they properly belonged, in order to make sense by hook or by crook. Thus these relics of classic antiquity may remind us of a country

AN
sign in Ireland whereby PETR. BRALLAG announces to the world
MENT SE
the mystery of INTRTAIN for *Man* & HOR. Whilst I regarded these ancient altars, whereon figure Tiberius Cæsar Augustus, Jupiter Optumus Maxsumus, Castor & Pollux, &c., my thoughts reverted to that distinguished *savant* and *littérateur*, M. Pickwick, and *his* celebrated antique. The altars of which I speak were erected by the heathen piety of the "watermen of Paris," a fact the knowledge of which we owe to one of the best executed of the inscriptions. The Romans were famous for their roads, but the river Seine offered to them a natural high-way for the transport of travellers, soldiers, and provisions to the fortress of Paris, of which they notably availed themselves. A fleet of boats on the Seine was under the control of a Prefect, and when the ancient rulers of Gaul gave place to the Franks, a corporation of watermen long existed at Paris, variously entitled *Mercatores aquae Parisiaci*, *Marchands par eau*, and *La confrèrie des marchands de l'eau*.

Centuries have rolled by since then, and we now reach Paris "by water" certainly, but by water turned into "steam." *Place aux Stokers!* Thrown into a great city for the first time, we feel like an unskilful swimmer, bewildered by the plunge. The *map* is our refuge, a rope we seize on, for stay and help, till the floundering is over. We have found the *Rue* ———, in the map; now to find it in the flesh. You pass your Hotel door, and you are in the street, your head confused with sea-sickness, or land-sickness, or something, with custom-houses, cab fares, *eau de Seltz*, and Emile de Girardin's last. Apropos of Hotels, I do not mean to name mine. It is thought worthy of honorable mention in the guide books, and professes to give "respectable accommodation," at "moderate charges." Besides, our friend Bob ———, told me to go there. It was dusty in the dry weather, and clammy in the wet. In the first instance, you felt as if you were every moment about to be blown away with the dust, which the draft swept in and out at the open window; and in the second, if you but touched the bannisters, the bell rope, the walls, you seemed to be threatened with the fate of a wafer, doomed to be stuck on to something, and "fixed considerable." There were vagrant smells, impossible to be traced to their parish. Doors creaky, locks which wanted to be coaxed, emigrant keys which had long forgotten the locks of their infancy. A small bedroom

where only half of you could get to sleep at a time ; a small towel which only wiped one side of your face ; a chest of drawers within whose bosom lurked some dreadful secret, for it objected to be opened, or otherwise drawn out ; and Time magnificent on the mantel-piece, bending gracefully over a clock—a French clock—a real French clock—with a reclining nymph opposite to him, as scantly clad and bespangled as himself, and a good deal more brazen. I did not stop long there, I soon left it to settle down *en pension* (in a boarding-house.) One morning at breakfast in the public room, an elderly English couple opposite to me seemed to be exceedingly interested in something which was going on behind me. I turned round "to see," and through a window of the *salle*, which looked upon the staircase, perceived that the housemaid was "dusting" the stairs. "Look the-ah, de-ah !" said one to the other, "I do believe they're actially sweepin' the stai-ahs !"—"No, no," said her friend with cynical gravity, "they ain't—they are only a *tryin' to*." Her opinion may have been sound enough, though her wit was no greater than one would look for in a Lady of Cockaigne. I have told you of what kind the accommodation was ; the bill was a little more than "moderate." And here I may make an observation, which, however it may admit of exceptions, is applicable in general to an extent more considerable than desirable. The comforts and luxuries of ordinary Parisian life, the *ménage* of the middle class in the capital of France, are on a far more modest scale, to use a mild expression, than with individuals of the same class with us, at London, and Dublin, and even in our provincial towns. In the United Kingdom, the way of life is so minuately graduated, that it is difficult to trace the beginnings of comfort, and the finality of luxury. Class is dovetailed with class, and the prosperous shop-keeper presses on the heels of the landed gentleman. Our *bourgeoisie* has a thousand wants, has sometimes even its caprices, and finds the means to gratify them, in part at least. The chasm in our social structure is between the middle class, and the "lower" class, the masses that live by manual labor merely, and whose very hard-work they do not direct themselves, but is "cut out" for them. Here in France, the broad line of demarcation is between the landed aristocracy, and the government functionaries on one side, and the *bourgeoisie*, and the masses on the other. The *ouvrier* in France has a better position in the main than his English brother ; he has many of the comforts, has much of the general intelligence, and is cursed with all the wants and

aspirations of the shop-keeping class to whose skirts he holds on, to whose order he often professes to belong, especially in times of revolutionary ferment. On the other hand the shop-keeper is sometimes but little above the *ouvrier*, and does not occupy generally in France that rank in the social scale which *his* English brother has had for birth-right for many centuries. The continual, daily, unremitting, often unnoticed, exercise of political liberty appears hitherto—I say hitherto, for I do not take upon me to prophecy of the future, and that future, the property of a people who are familiar with vicissitudes—to have been inconsistent with such a social order. There are some who look upon liberty itself as the privilege in fact of the unprivileged in title, and who speculate on its extinction when it has reached a class of the people, who are unprepared to sustain it, because embarrassed by long habits of dependence, in whose hands it is likely to become rather an instrument of temporary vengeance than of enduring protection. Merely an observer, I am not a man of opinions, and content myself with recording those of others. With the result fresh in our memories of the re-action which placed the crown of the revived empire on the brow of its present possessor, a re-action co-extensive with every class of a populous nation convoked to declare its will, by universal suffrage, we should be slow to form opinions upon questions of high political science. Since February '48 how many have been deceived, and undeceived !—But be all this as it may, that the facts which led me into this train of observation, are as I have stated them to be is certain. It is not, however, unquestioned. There is a class of worthies to whom truth is not only unwelcome, but even incomprehensible, their prejudices being equalled by their stupidity. With them Paris is a Paradise, for all the world; for us Paris is Paris, not the less so for its contrasts and anomalies. Your British tourist, Brown, shuts up shop for awhile, or leaves it to the care of Jones, his more assiduous, or less curious partner—"business is dull"—bolts to Paris, and of course dines at the *Palais Royal* at the cost of some two francs and a-half. He enters a magnificent *salle*, of noble proportions, decorated with everything attractive that art can devise, and presided over by an angel with her hair *à l'impératrice*, to whom the people on entering doff their hats. Brown is in a Palace, and his hostess is a Princess. The Bordeaux is "capit'l stuff. It's somethin' like claret, only they don't call it claret, but somethin' else. It ain't exactly-a-*heady*, but, by Jove! it's fust

chop!" He pays his "little bill," in his instance, literally so, for the "value," and strolls about in the garden, or under the arcades, looking into all the wonderful little shops, all diamonds and plate glass. He has a cigar in his mouth, and he ain't had one there for twenty years. He sees the *Louvre* and the *Tooleries*, and the *Shawnsaleeze*, and returns to Albion's shore, with wonderful legends of the Palais Royal. He rather wakes up Jones, who, next year, (when "business is dull" once more) bolts to Paris in his turn, and if you refer back a little, and read *Jones* for *Brown*, you know the rest. Even so it is, that the Jones' and Browns inoculate their circle, and the public generally, with very romantic notions of Parisian life, and it comes to be a received opinion that Brown's week at Paris is only a specimen of daily French existence. What is the fact? Why, that the luxury of Paris is paid for by the wealth of Paris. True, twice a year or so, your *bourgeois* takes his wife to a first-class Restaurant, or what to him is first-class, or the said Monsieur gives, or takes, a good dinner, in company with his chosen friends. But we must not conclude that it is *jour de fête* with him all the year round. And then the Provincial "dines", too; which they know very well at Vêfour's, and at the *Trois Frères Provençaux*. But at no period have the Provincials occupied Paris in as great force as did the Allies in '15. The students are strong at the commencement of the month, when they draw their allowance, but the moon wanes. A favorite freak of these latter gentlemen is to hire a *remise*, with two horses, and, if possible, two footmen, and to be driven to and fro along the Boulevards for hours, not because there is much fun in that, but because your fast young Frenchman likes the excitement of spending money. He "dines," but after a fashion unlike that of most people. He will smash a bottle of wine, when he is in a state beyond drinking it, for he does not love intoxication, but he does dearly love to pay for it. His afternoon has been that of a *grand seigneur* of the time of Cardinal Richelieu. When night comes on, he walks home to his little cell, three pair up, in some dingy street of the *Quartier Latin*, and is a grand seigneur no more—till the new moon. All these are exceptional cases. But consider the mass of the Parisian middle-class, and you will find their life to be modest enough, their apartments furnished with less of *luxe*, and their habits less expensive than is the mode with the same class over the water. One fact is conclusive on the subject—the occupation of a single house not merely by different individuals,

but by different *families*. As you ascend the stair-case, you descend in the social scale. The *rez de chaussee* is a shop, the drawing-room floor is rented by a noble, above him is lodged a professional man with his family, another flight brings you to a struggling artist, whose dreams of the Beautiful are sometimes chased by the student of law, or of medicine, who dances the *cancan* over his head. Higher up, you may encounter a sweep, *before* you get to the chimney. It is impossible, plainly, in such a state of things, to revel in that *roominess* in which your British *bourgeois* loves to expand, even when he lets lodgings. Here the drawing-room floor is of oak, above that the rooms are paved—I presume that is the word in English—with tiles which are painted—no carpet. I wonder what those little things here, half recess and half hole, which occupy the spot where the fire-place is with you, can be meant for. They are big enough for you to put your feet in. They are garnished with a shovel and tongs. I can't conceive making a fire in them, unless a candle-end be the fuel. They communicate with flues. Ah !—they must be ventilators.

The aspect of Paris differs from that of London and Dublin in a respect which is most remarkable—you can see to the end of a street. There is no smoke, no mist, to intercept your view. Your first day in Paris you find the air so clear, and distant objects are so near to you, as the phrase is, that, being weather-wise, you prophesy speedy rain. The next day is the same. The sunny places are so bright, the shady so visible. A third day. No rain. An idea flashes on you ; it is thus always here; and so it is. The atmosphere is wonderfully clear, and grows obscure only when mischief is brewing, and rain at hand, or in the early morning, when the dews of night still linger on their road upwards. This cheerful, clear, serene atmosphere makes Paris a perfect panorama, and recals the pictures of Canaletto, the far is so near, the perspective so defined, and uninterrupted. The beauty of this feature in the appearance of the city is enhanced by circumstances, some of nature, such as the high hills which environ it, others of art, such as the lofty buildings which adorn it. From the heights of Montmartre and Père la Chaise you can see the city. You can see the city—the whole of it—from the Pantheon at the south-east, from Notre Dame in the centre, from the magnificent Arc de triomphe de l'étoile in the west. From the dome of the Pantheon you see the Val de Grâce, the Observatoire, the village of Chantilly, Bicêtre, the great

road to Lyons, stretched like a broad white riband across the heights to the south-east of Paris, the Jardin des Plantes, the fort of Vincennes, a league outside Paris, the column of the Place de la Bastille, the cemetery of Père la Chaise, Notre Dame, the Louvre, the Church of St. Vincent de Paul, Montmartre with its green spots, and its windmills, up at the north of Paris, the column in the Place Vendome, the triumphal arch at the end of the Champs Elysées to the west, Passy, the Invalides, St. Sulpice, the Sorbonne, the Luxembourg—all Paris, save the Seine. This last, with its bridges, is best seen from "the gorgeous turrets of Notre Dame," which command the river, east and west. But the finest view of Paris is, perhaps, from the *Arc de l'étoile*, which is at the extreme west, and from its height you can best appreciate the clearness of the atmosphere, discerning with ease at a distance of four miles and a-half, or rather more, the stately columns of the Barrière du Trone, and the monuments of Pére la Chaise, at the eastern extremity of Paris ; three miles beyond that again, the fortress of Vincennes.

Versailles, at all times an object of curiosity, has been this summer crowded on the days of the "grandes eaux," which have played repeatedly, to the great delight, not merely of tourists, but of the good Parisians themselves, who are as proud of Versailles as they are of Paris, the sole defect of the latter being in their eyes the untoward fact that the former is not enclosed within it somehow, park and all. The mere mention of the Court of Versailles recalls one of the most remarkable periods in the history of the French, when the national genius and manners received an impulse from the ambition and refinement of the *Grand Monarque*, an impulse which has not ceased to exercise a powerful effect on ideas, institutions and events down to the very time wherein we live. Any lengthened reference to his career would be here a mere superfluous impertinence. All are acquainted with the good and evil he has done, with the greatness and meanness of his selfish pride. "L' état, c'est moi," would seem to some to be his fitest epitaph ; but there is another which contests with it the palm of biographical portraiture. From his death-bed he addressed to Madame de Maintenon (the celebrated widow of Scarron, the poet) to whom he had been married for thirty years, a last adieu. "In quitting you, Madame," said he, "I am consoled by the hope that we shall meet in eternity." As she left him, she exclaimed with bitter anger to those around her, "Voyez le rendez-vous qu'il me donne ! *Cet homme-là n'a jamais aimé que lui.*" We know Louis better than we do Napoleon. The scope of his life is

clear to us. Napoleon's destiny is not yet unriddled. The other day, at the *Conservatoire des Arts et Métiers*, I entered a room, where there was a large telescope, which pointed up to the cornice, distant only a few yards. One visitor after another, gouged up one eye, and with the other looked through the glass with persevering curiosity. This proceeding was a source of much amusement to two or three people, an Englishman, with (apparently) his wife, and a Frenchman, who declared himself *en permanence* on a seat close by, the better to observe the telescopists. One of these latter, after various fruitless attempts to "see something," was at length attracted by the increasing laughter of the Permanent, and speedily recalled to mind, not without confusion, that telescopes were not invented for observing objects close at hand. Napoleon is too near our times to be distinguished clearly through the lens of history, and most assuredly we do not accept the description of the "attorney of the middle classes," by which Mr. Emerson, the Representative of Inflated Penmen and Attorney of Phrase-makers, would seek to make known to us the "meaning" in this world of Napoleon the First. But Louis is known to all—greatly ambitious, greatly gifted, greatly fortunate, and, withal, only a great actor, not a great man. At Versailles, I defy you to get rid of him. He haunts the place. You may take away his portraits, and leave those of others where they stand. He will not the less be there, they not the less absent. Greater memories than his have a niche at Versailles, but the mausoleum—for such we deem the Palace—is his in its entirety. Who can tread the Place de la Bastille, at least for the first time, and not revert to Mirabeau? The Place de la Concorde and the Tuileries are Louis the Sixteenth's. In the Palais Royal we do not forget Richelieu, nor Philippe Egalité. At the Invalides, we scarce bestow a passing thought on its founder, and turn from his portrait, as from something intrusive. To-day the Hotel des Invalides is, and has been for a long time past, a synonyme for the first Empire, and its Ruler.—But Versailles is altogether Louis the Fourteenth's. He built it, lived within its walls, and died beneath its roof. It was there that he was young—gallant, prosperous, flattered in his youth; there he spent the years of his adorned manhood, *le Grand Monarque*; there he grew old—age brought him reverses and remorse, but did not impair his dignity, and they flattered him still. "I have but followed your counsels," said he to the prelates who surrounded his death-bed (in which assertion his pride deceived him) "if I have done wrong, you will be

accountable for it to God." In speaking thus, he fled for refuge to the device of all wrong-doers, who seek to ignore their own responsibility, and to increase that of others. But the Cardinals de Rohan and de Bissy replied to him with a courtly charity, and contented themselves with eulogizing his conduct, "for it was his destiny," says the Chronicler, Duclos, "to be flattered even to the very last moment of his existence." Calling the Dauphin to his side, he advised him, in his capacity of successor to the throne, to keep peace with his neighbours. "I have loved war too much," said he, "do not imitate me in that, nor in the great expenditure of treasure in which I indulged." The very spot where he uttered these monitions, suggested by remorse, was itself the evidence of the extravagence he bewailed too late. Speaking of the *grandes eaux* of Versailles, Saint Simon tells us that "water was wanting, although they could supply it by artificial means, and the fountains, those wonders of art, were dry, despite the foresight which had provided those *mers de réservoirs* which had cost so many millions. Who could believe it? This deficiency actually ruined the infantry of the army! It was determined on to turn the course of the Eure between Maintenon and Chartres, and to bring that river to Versailles. Who can tell the cost in money and men of this attempt during many years, when it was forbidden, under heavy penalties, to speak of the sick, and of the dead, whom the severity of the labor and the unhealthy exhalations destroyed? Of the survivors, it took years to re-establish the health of some, that of others could not be restored during their whole life. Even the colonels and general-officers dared not absent themselves for a quarter of an hour from the supervision of the works, which were interrupted by the war of 1668." Madame de la Fayetté's evidence is to the same effect, and Madame de Sevigné says that it was only in the darkness of the night that the sick and the dead were removed.

It was in the reign of Louis' predecessor that Versailles was commenced. Louis the Thirteenth frequently hunted in the neighbourhood, and with his suite, was accustomed to spend the night, after the fatigues of the chase, in a poor cabaret, and in a windmill, which stood on the hill now occupied by the palace. But they grew tired of the poor accommodation which the "palace of the winds" afforded them, and the King caused a convenient château to be constructed. Speaking of this, Bassompierre says, "obviously this King of ours is not mortar-mad—the finances are not likely to suffer from his magnificence in marble, unless, indeed, they mean

to reproach the poor man with this wretched château of Versailles, of which a mere private gentleman would be ashamed to be vain." Ah! Bassompierre, were it but given thee to prophesy! this same château was the scene of the court-intrigue, and it's *dénouement* which is dated in French history "*La journée des dupes*," all-fools'day. Marie de Medicis, mother of Louis the Thirteenth, in the temporary absence of Cardinal de Richelieu, set herself to work to procure his downfall, and for this purpose, obtained a secret interview with the King, who promised all the Queen-mother asked of him. Richelieu, forewarned, surprised them in the very midst of their plot. "Ah!" cried aloud the King, with more of candor than of self-possession (himself almost a fool, he was the son of Henri Quatre, and the father of Louis Quatorze) "Ah! talk of the devil." —"You have been speaking of me," said Richelieu sharply to the Queen. Thunderstruck at his apparition, she was dumb for a moment, but gathering up "a spirit," she launched a torrent of invective at the head of the minister. The King implored "goody" "to moderate the rancor of her tongue." The Cardinal threw himself upon his knees before her. Once before had he done so, but the occasion was far different. It was to thank her for having backed with her powerful interest his own distinguished merits, and helped him to obtain the rank of Cardinal. In these days, he placed his red hat at the feet of his benefactress; "Madam," he said, "this symbol of the dignity for which I am indebted to your Majesty, will, by its color alone, ever remind me of the vow I have made to shed my blood in your service;" a pretty, but labored *concetto*, quite in the taste of the time. Things have changed since then. Now the Cardinal kneels to her, not without dignity in his humility, to recal her to a sense of propriety and of justice. But she will hear nothing. The Cardinal turns to the King, and offers to resign his power. The King accepts his resignation, and he retires from the royal presence. The Queen-mother and the court, flushed with triumph, repair to the Luxembourg at Paris, there to hold their jubilee on the fall of the Minister. He is "out" at last, and they are never tired of telling the good news. Even when it is become old, it is still good for repetition. But it was this confidence which lost the cause of the court. Whilst the Queen remains at the Luxembourg to receive the felicitations of the enemies of the Cardinal, this last employs the precious time in endeavouring to recover his position with the King, who is alone at Versailles. He completely succeeds; "Continue," says

Louis to his restored Minister, "continue to serve me as you have hitherto done, and I will protect you against all the intrigues of your enemies." And on the spot, they took measures for the punishment of the authors of the intrigue. The courtiers returned to Versailles only to find the Cardinal more powerful then ever, and to curse the day of their defeat, the "journée des dupes."

After a long minority, Louis the Fourteenth, arrived at the throne, declared that he would rule France himself, and be his own Minister. He kept his vow. He availed himself of able assistants, but the "minister" of recent times was a type that ceased to exist. Louis the Great was in no want of, and did not suffer, a "Maire du Palais." Wishing to signalize the commencement of his reign by an enterprize worthy of his ambition, he resolved to build a palace at Versailles, and commenced the edifice in 1661. The works were pushed forward with such energy, that, three years afterwards, their progress admitted of a fête in celebration of the undertaking, which even in so brief a period, had been crowned with a success which promised well for its completion. This fête was inaugurated with a pomp and splendour of which the court of France had, till then, been, at least comparatively, ignorant. "Heaven itself," says a contemporary writer, "seemed to favor the designs of His Majesty, for, at a season which is almost always rainy, we were only troubled with a pretty fresh breeze, whose increase only served to manifest the foresight of the King. Lofty tents and constructions of wood sprung up in a moment, and beneath the shelter afforded by them blazed a thousand lights, defying the gale, which everywhere else at the time rendered such diversions impossible." It was, possibly, on this occasion, that originated the humor, as dry as the wind, of the *mot* I am here tempted to relate. "You remember the old wind-mill that stood upon this spot?" asked Louis of one of his courtiers. It was the mill where Louis the Thirteenth had often rested the night, fatigued with hunting. "Yes, your Majesty," replied the seigneur, "le moulin a disparu, *mais le vent est resté.*" But a keener wit figured at these fêtes, no less a person than Molière. In the rhyming gazette of Loret, *La Muse Historique* for 1664, we find the fact refered to in these verses:—

"Le second jour la comédie,
Des rimes de Molière ourdie,

Où l'on remarque pleinement
Grand esprit, et grand agrément;"

which is more than "*l'on remarque*" in our friend Loret. Amongst other comedies of the celebrated dramatic author, his *Tartuffe* was "presented" before Louis the Fourteenth, during these fêtes at Versailles. The poet's memory refreshes this seat of pomp, like a breeze that steals through the open window into gilded saloons, where the air is heavy with artificial perfume. For gilding and marble, they are articles of faith, we know. To doubt the taste that fashioned them is infidelity; to doubt the taste that admires them, blasphemy. Notwithstanding all which, we believe in genius, not in gilding. A court architect is, at all times, a "highly respectable" man; in the time of Louis the Fourteenth, and in a peruke, such a one must have been something more—

——"a splendid angel, newly drest,
Save wings, for heaven."

The masons of the mind have built my palace, and have, for the most part, succeeded in bringing their structures to perfection. Mansard has only attempted, with doubtful success, to do that in his art, which Molière fully effected in his. In my simple malice, I often require to be told that such and such a portico is "justly admired" for the &c. &c., but a great poem, or a great comedy, is its own sufficient indication, and effectual eulogium. I need not periwig myself with pedantry to go to the play. It is unfortunate, that the fine arts can never claim to be of the same level with literature. I have heard a great building described as "a poem in stone." True, but why are there not more of them? Architecture is deficient in the element of certainty of opinion, of stability of reputation. It may take years to establish a great literary production, but, once established, it remains to us, and all the world are of one way of thinking about it. You never meet good people going into affected raptures about Milton's *Paradise Lost*, because some "cultivated person" has indicated the propriety of rapture. You never meet simple people, who are acquainted with the "cultivated person," denying it, or calling its merits in question. But where there is mention of any of our modern edifices, what difference of opinion is evoked, if some one or two will but speak as they think! The reason of all this is simple, though it has its root in first principles. We are all acquainted with words and their meaning, and

the question of literary merit will turn upon the language best fitted to express propriety of thought, and truth of situation. We have been all our lives learning, at first with some effort, afterwards imperceptibly, the uses of language, and its various shades and meanings. We never can be so familiar with the combinations of the materials of architecture. A block of stone, simple though it be in the rough, may be hewn into a thousand shapes, and receive in each instance a different expression. The rules of grammar are fundamental, but we forget them in the superstructure of style. In building, all that you can learn is the mere grammar. It's subtler combinations and refinements cannot possibly occur with sufficient frequency to become familiar to the unprofessional public. When we are told that such and such a combination forms such an "order," we learn a mere rule of architectural grammar. But the various uses to which that "order" may be made accessary are not manifested practically in sufficient number to inform experience, and ground independent opinion. We fly for a faith to the artist and the connoisseur, sufficient experience being wanting to enlighten a natural religion of taste. They know our weakness, and impose upon us the ceremonies of a fanciful and arbitrary *culte*, thrice happy if they have a *grand monarque* for high-priest. The *renaissance* has ruined architecture. It has thwarted the national genius of Europe, and discouraged national taste in affecting to inform it. If St. Peter's, or St. Paul's in London, have been successful experiments, how many others have failed? Modern times have constructed enormous piles of building, with pillars, of some ancient "order," stuck here and there about, and all this we must worship as *classic* or rest content to be banned as grumbling eccentrics. The capitals of the pillars of a portico cannot constitute the whole building Ionic. To which "order" of ancient architecture do the humped-backed roofs of the Tuileries belong? To which, again, the towering chimney-tops of the Royal Exchange in London? The "dark ages" were not so dark; they knew in those times how to make even a water-spout ornamental. Your modern classic portico is the all in all of these latter ages—like charity, it covers a multitude of sins. Only be careful to stand close enough in—where do you see chimneys, or excrescent sky-lights now? Certainly, porticos are not transparent. We can be thankful for so much. In the beginning of his reign, Louis the Fourteenth appeared at a fancy ball in Roman costume—*en revanche*, with laced cravat, and flowing peruke! His portrait

remains to this day, to remind us of the *bizarrerie*. The architecture of his, and of succeeding times, presents for the most part a similar *bêtise*.

But not content with degrading art, his era outraged nature. Your men of taste fell out with the trees, and shaped them with their civilizing shears into vegetable fancies of the most fantastic character. No doubt, they would have prescribed hair-powder for them, if the idea had been practicable. The green sward was offensively natural—*gauche* as any *homme de province*. But they subjected that, too, to prevailing etiquette, and brought it to reason according to the soundest principles of mathematics. It was taught to adopt parallelograms, and ovals, and triangles, and all so neatly gravelled. Gooseberries were made to grow according to rule. If the hairy cactus had then flourished at Versailles, he should have been inevitably shaved. Monsieur Le Nôtre was a sort of horticultural tailor, excelling in the *genre régulier*; his rival, Kent, was an advocate for the landscape-garden. The merits of each have been celebrated in verse by the author of the *Jardins*, a poem from which I quote a few lines.

"Je ne décide point entre Kent et Le Nôtre:
Ainsi que leurs beautés, tous les deux ont leurs lois.
L'un est fait pour briller chez les grands, chez les rois;
Les rois sont condamnés à la magnificence;
On attend autour d'eux l'effort de la puissance;
On y veut admirer, enivrer ses regards,
Des prodiges du luxe, et du faste des arts.
L'Art peut donc subjuguer la Nature rébelle,
Mais c'est toujours en grand qu'il doit triompher d'elle.
Son éclat fait ses droits; c'est un usurpateur,
Qui doit obtenir grâce à force de grandeur."

I am tempted to commit translation, though few readers possibly, will require it from us—

'Twixt Kent, and skilled Le Nôtre, how decide?
Each claims his praise, his rules of art descried.
To dazzle princes one his genius bent,
And Kings, condemned to be magnificent,
Whose taste, enslaved to all the pride of power,
Would order grass, and discipline a bower.

To rebel Art if vanquished Nature yields,
Strong be the sceptre the usurper wields!
Might makes his right—be, then, his rule complete,
Unfaltering, ruthless, for a Despot meet.

To this hour the trees in the Orangery at Versailles are ranged in their boxes of earth, in rows as formal as the rank and file of a regiment, each of them cut and rounded into a shape that reminds you of the newly-shorn bullet-heads of a batch of recruits.

The magnificent fountains, with their spirited and skilfully executed groups, constitute its distinguishing, and most agreeable peculiarity. In other respects, the palace and gardens may find their parallels elsewhere, but the *grandes eaux* are a feature apart. I congratulate you on the prospect of seeing them next summer. For myself, I mean to revisit Versailles. At present, I will close this brief notice of that celebrated place, by presenting you with the portrait of a celebrated *Suisse* (porter) of the old times, which we owe to the pen of Mercier. In the celebrated *Œil-de-Boeuf*, one of the most interesting spots in the palace, "there lived," says he, "a great, square *Suisse*, built on a colossal scale. He was like a great bird in a cage. He eats, drinks, and sleeps in this antichamber—never leaves it. The rest of the palace is to him an unknown land. A mere screen separates his bed, and his table, from the princes and the powers of this world. The sonorous thunder of some dozen words once made his duty, and now make his most fitting epitaph—'Keep moving, gentlemen, keep moving! gentlemen, the King!—withdraw! No admittance, Monseigneur.'" And Monseigneur mizzles, without a word. All the world salute him. Who ever dared to contradict him? The sound of his voice chases through the gallery clouds of counts, marquises, and dukes, who jump, at a word from him. He sends princes and princesses packing by a monosyllable. When his voice thunders through the place, the scattered knots of courtiers huddle together, or vanish in thin air. All fix their glance on the big fist that turns the handle of the door. His "vails" are something to the tune of five hundred a-year, for who could think of caressing that great palm with any metal viler than gold? In the evening, a group of courtiers present themselves again in the Œil-de-Boeuf, and crowd up against a closed door. These gentlemen are aspirants to the honor of supping with Master. Each one flatters himself with a little hope, not yet extinguished,

though often deceived. Two hours are gone, and the door, the door adored, the door pressed with trembling respect, does open at last! A *huissier* appears with a list in his hand, and names some seven or eight people. The lucky dogs pop in, and the door is banged in the faces of the disappointed, who sneak away with a make-believe smile, but with hearts of chagrin, and despair.

There is nothing one meets with so frequently at Paris as a decoration of the Legion of Honour, and a Palace. The decoration is worn by almost every one, the designation borne by almost everything. Besides the palaces, properly so called, those which have been, or are, the abodes of royalty, whether it be royalty royal, (the Double X of dignities), royalty imperial (or Single X), or sovereign of the people (republican small-beer); there is scarce an edifice "of any pretensions," without that which crowns all the others, the title of "Palace." To such an extent has this mania been carried, that they have given the name of *Palais des Singes* to the great monkey-cage in the *Jardin des Plantes*, wherein the quadrumanous individuals hold their court. You may think this a stroke of humour, but there is not sufficient of that quality in the composition of the French to authorize your opinion. You may depend on it, they take it quite seriously, and so do I. Doubtless, if you will consent to push the principle of equality to its logical consequences, you will grant me that the monkeys have as good a right to an improved social condition as any one else. Other apes have had their Palaces; why not they?—*ça ira!* I met with a curious illustration, a few days ago, of this palatial nomenclature. Asking my way, just at the entrance of the *Rue Bonaparte*, to the *Palais des Beaux Arts*, (the Academy of Fine Arts) the prompt reply was, "C'est *le premier* palais, monsieur, à droite." Ah! le *premier*—and this in a street of no very great length—how many more of them are there about here, I wonder, thought I. I had not time to pursue the question to a practical issue, having just then had to do but with one palace, the Academy aforesaid. This *penchant* for a title, conferred even upon stone, is characteristic, in its way, of the national love of exaggeration, which, after all, has done good service to the French from time to time. Only say a thing and keep saying it, and you may bore people into believing it at last. They are the politest people in Europe—at least so they say, and have been saying, ever so long. Certainly, they do not fail to let foreigners know their inferiority, or pretended inferiority, *in*

the science of social manners. Still, I can't see the politeness in telling a man that he, and his entire nation, are deficient in good-breeding. It is true, our friends here are rigidly precise in exacting the external manifestations of politeness, but, in the essential principles and practice of good manners, I cannot, in sober truth, consider them superior to our countrymen. This is, of course, flat heresy. First, there is the *entente cordiale*, "our allies," &c. Certain people, at a certain side of the channel, have forgotten what they were in the habit of thinking and saying, some two years ago, about certain other people at the other side thereof, *nous avons changé tout cela*. "The magnanimity, wisdom, and perfect good faith of &c." has displaced, in the jargon of England of to-day, a certain other formula couched in different terms, to which John Bull pinned his faith but yesterday. In Ireland, again, there has always been amongst the more Irish portion of the community, a strong sympathy, which has too often been a ground for prejudice. The French have never been to any great extent, or for any considerable length of time, Protestant. They have been Catholic, and Infidel, by turns, but not Protestant. Even in Huguenot times, Henri Quatre, for years the champion of the Reformed *culte* in France, could only reach the throne on the condition of divesting himself, at its very steps, of the religious opinions of his youth and manhood. When the war of the whig revolution had terminated in Ireland, in the favour of William of Orange, the remnant of the Irish Catholic army found a refuge in France—more than a refuge, a brilliant and prosperous career. The perils and triumphs of the "Irish Brigade," have been celebrated by their countrymen at home in prose and verse:

> "They fought, as they revelled, fast, fiery, and true.
> * * * * * * *
> —in far foreign lands, from Dunkirk to Belgrade,
> Lie the soldiers and chiefs of the Irish Brigade."

Tone and Hoche fanned the flame of alliance between Irish discontent and French invasion. *Emeute* has been ever but too dear to the Irish heart; unable to overthrow authority at home, they have not the less held jubilee over its destruction abroad. The fragments of three thrones in France have made a bon-fire for the often-recurring fête of popular sedition in Ireland. We certainly have evidence enough of political sympathies between the French and Irish. I do not meddle with them. All I ask is, simply, to remind

your over-zealous patriots that political sympathies do not constitute social identity, or even resemblance. One of your Irish prejudices is, that "The French are very like the Irish." *Tout au contraire, mes amis.* A certain levity, in which your countrymen sometimes indulge, constitutes the sole ground of resemblance—in all the rest, the two peoples differ from one another. The Irish are unaffectedly natural—the French artificial. France is the native land of *etiquette.* In Ireland, politeness is of the heart; here it is only too often the theory of a dancing-master put into practice in the social world. The warm-hearted frankness of an Irishman is seldom met with here; they "*monsieur*" and "*madame*" their intimate acquaintances; in Ireland, on the contrary, you will be happy if you escape an invasion of your christian name, if you are known to an acquaintance pretty well for a long time together. Every moment here they take off their hats to everybody. If you ask a question in the street of any one, you *must* take off your hat, and, even though he be a cab-man or an *ouvrier*, it will be by no means unadvisable to "*monsieur*" him. In that case, you will be more sure of a civil answer, which I assure you, cannot always be reckoned on. Amongst you at home it is to be regretted that foreigners are sometimes the object of impertinent curiosity and observations, but, certainly, no man in the rank of a gentleman permits himself such a liberty. Here, on the contrary, the English costume and bearing subject you to unpleasant notice, not so much, or at least so offensively, from the lower orders—if, indeed, there can be any such, socially speaking, where every one is "*monsieur*"—as from those from whom better manners might be expected. With all the pretensions of the French to be of the great world, and march at the head of civilization, there is a decided want of liberality, which calls these same pretensions in question. They really have no excuse for being ignorant, in the middle of the nineteenth century, especially since their capital has been so long the resort of foreigners from every land and continent, that there are national, as well as individual peculiarities, which claim a charitable construction from an enlightened, and liberal mind. I am, as you are well aware, trustworthy on this subject, as my belief is that all nationalities, at least, in their exaggerated forms, are mere heresies against the orthodox *culte* of universal humanity. To a certain extent, that character which has been imprinted on different nations is entitled to free scope and sway. But there is a boundary which it cannot be per-

mitted to pass, without its just liberty of action degenerating into license. The theory of race wants a snaffle. I do not admire your "true-born Briton" with his *morgue*, and his selfishness, or rather that assumption of selfishness which his vanity persuades him to think comports with his worldly wisdom and dignity, for he is not half so selfish as his "national spirit" requires him to be. I care still less for your "true-born" Paddy, with his "rollicking ways," and his "humour." (Heaven preserve us from the same, unless when genuine!) I have no prejudice on the score of nationalities. All are one flesh, and can play the fool in turn. I conceive exaggerated nationalities to be founded simply in an eccentricity, which, were it indulged in by an individual merely, would subject him to censure, but which claims security from the fact of its being the madness of many.

With these opinions, I am privileged to speak freely, without fear of being charged with prejudice. And I assert that it would be a change for the better, if the Parisians could be got to think, that there is nothing hateful, or contemptible, or indeed in any way wonderful, in a man's wearing the hair which grows on his cheek, and shaving that which covers his upper lip, any more than in shaving his whisker, and growing his moustache. Neither does the wearing of a part of his dress above his cravat, instead of turning it down thereover, constitute a very grave crime, or heinous blunder. If the leaders of human progress could only get so far on their road to enlightenment, we should be inclined to regard their pretensions with a more favourable eye. In London, we have been long accustomed to everything wonderful in the shape of hair and hats imported from abroad, and have found out that foreigners do not dress like British subjects. No English gentleman stares a Frenchman in the face, in a public street, or in a café, in London, or, openly *nudging* his neighbour or companion, trusts himself to exclaim "*Frenchee!*" loud enough to be heard by the Gaul, merely because the latter shaves the hair on his cheek, and cherishes that on his lip. Would that we could say as much of an English gentleman's Parisian brother. The Parisian, with his boasted European experience, ought to know more of the world than the cockney islander; with all his pretensions to refinement he might practise some better breeding than the "savages" from *outre-mer*. Next year, I dare say, this will be somewhat reformed. It is time. Next year, "our allies" will be here, in great force, at the Exhibition.

It will be incumbent on your Parisian to *pose* (if I may anglicize a French word, the meaning of which he knows pretty well.) Next year, his vanity will be too much on the alert to suffer him to be wanting in courtesy to his guest. Ah! next year—'tis a long way off! I have been betrayed unwittingly into these observations on the manners and demeanour of the French, but I cannot now erase. Of course, it is all high treason in England, and flat blasphemy with you in Paddy's land.

It is in the *Palais Royal* that the offensive shirt-collar and whisker of Britishism are most wont to flourish, and when I say this, I do not except even the Boulevards. Go into the Palais Royal at any hour, and you are sure to encounter English, the new-comers especially; it possesses many advantages for them, and, you see, they can't lose their way. They can wander through the garden, or the arcades, lounge in and out of the cafés, look at ever so many useless, and buy ever so many expensive, things, and generally "get on," without stopping any one with "musseeah!—permetty—bonety—oo ee le roo de too-re-loo," &c. Your Englishman is so much at home in the Palais Royal, that one may call it "*Little Britain*;" the appellation would be more appropriate, and possess more meaning, than that it bore during the Revolution, in the time of Louis Philippe's father, *viz.* the *Palais-Egalité*, "two words," says a French writer, "which encounter each other with astonishment." They certainly do make odd company for one another. The Palais Royal was built by Richelieu, and was first termed the Palais Cardinal. He made a present of it to Louis the Thirteenth, and it then assumed the designation by which it is known at present. It was for some time occupied by Louis the Fourteenth. It has for us Islanders an association with the troubles of the Common-Wealth, and the sufferings of the Stuarts. It was there that the widow of Charles the First resided, there that perished by poison the beautiful and amiable sister of Charles the Second, Henrietta, Duchess of Orleans. The garden of the Palais Royal was the theatre of that celebrated scene of the Revolution, in which Camille Desmoulins was the chief actor. From the opening of the States General, the Palais Royal was the rendezvous of the most ardent agitators, and Desmoulins was one of the most remarkable orators who figured amongst them. The 12th July 1789, it was known at Paris that the popular minister Necker had been dismissed, an event which caused the greatest fermentation. Desmoulins sallied out from a café,

then breaking a branch from one of the trees in the garden and affixing it by way of cockade to his hat, he called the Parisians to arms. The theatres had just opened, Camille and his friends besieged the entrance doors, suspended the performance, and were joined by the greater number of the audience in capacity of insurgents. They carried the busts of Necker and the Duke of Orleans in triumph through the streets. The ferment continued, and, two days after, the Bastille fell.

The garden of the Palais Royal is a vast parallelogram, surrounded by buildings of a regular architecture, which are allotted to every purpose of amusement. The Palais Royal is a little city of jewellers' shops and of cafés. The café de la Rotonde, adjoining the Trois Frères Provençaux, is a favorite lounge in summer. You sit in the open air, in the beautiful evenings of summer, and with your cup of coffee, and your cigar, and the journal *du soir*, you can amuse yourself for an hour. Or, laying down your paper, you can watch the crowd around you, some occupied like yourself, others promenading in the garden, or the arcades, others again hurrying on with a step more rapid than that of the promenade, for, mark you, the Palais Royal is a great thoroughfare between the Boulevards, the Rue St. Honoré, and the southern bank of the river. The garden, the designation is now a misnomer, inasmuch as it is one immense gravelled walk through nearly all its extent, is adorned with young sycamore trees, which, one day, no doubt, will have reason to be proud of themselves. The most delightful feature of Paris life, in summer, is the facility afforded by the fineness of the climate to sit and chat in the open air, instead of being pent up in a room.—The café de la Rotonde is not, certainly, as agreeable as its brothers of the Boulevards, but you must be eccentric if you cannot manage to spend an agreeable hour there, even by yourself; you are there free, we may remark, from the dust of the Boulevards, whirled up by the wheels of countless omnibusses, and equipages. You would find it rather difficult, I imagine, to drive an "outside car" through the Palais Royal, though a Prussian officer, in the old times of foreign occupation, conceived and executed the freak of riding on horseback into its desecrated precincts, and reining in his charger under its colonnades. For many years past, the Palais Royal is not so much the resort of your true Parisian. The Boulevards, the *café chantant*, and *Mabille* have absorbed him. But to your foreigner, especially the British variety of that animal, and to the provincial, it is still a

fairy land. The triumphs of the Palais Royal were, in the times immediately succeeding the Restoration of the Bourbons, and farther back than even that epoch, during the first republic. Its garden was then crowded with the *jeunesse dorée*, and the *incroyables*, attired in that strange melange of costume which partook of the old court dress, and that which the revolution inaugurated, to last, through various modifications, down to our day. The *incroyables* were the fops of the reign of terror. Even the guillotine originated a *mode*, and the dandies wore their hair in an affected disorder, *à la victime*, as the phrase was. The *incroyables* were specially remarkable for omitting the pronunciation of the letter *r* and others, but principally that, in conversation—*en ve'ité c'est inc'oyable—qu'elle est samante! (charmante) ma pa'ole doneu! (d'honneur) Sexa?* you may, probably, require to be apprised that *Sexa?* meant with these mincing gentlemen, *qu'est-ce—que c'est que cela?* After the fall of Robespierre, they swarmed like butterflies, when the reign of winter is passed, and fluttered through the *Palais Royal* in the extravagant costume of the time, their long tresses secured by a tortoise-shell comb at the back of the head, as with women, or trained into long braids falling down at each side of the face, *les oreilles de chien*. It was then that the *ado'ables* of the *inc'oyables*, the fair devotees of fashion, attired themselves in filmy robes, designed after the model of the antique, which hardly concealed their figures, flitting along in veritable *sandals* (not shoes) fastened to the feet with red ribbons, their hair simply confined by a fillet, such as Greek or Roman ladies wore a thousand years before. Levity will ever be the heir of terror, and the departed guillotine left a progeny of ephemeral follies, such as, in these sober times, we may find only at a masqued ball, or in the old pictures which still exist to chronicle the manners of the Revolutionary era.

The *Louvre* is another famous haunt of the foreigners at Paris, but far more worthy of their attention than the Palais Royal. If the latter be better calculated to feed the physical, the latter claims to offer a *carte* of the first pretensions to the intellectual man. The origin of the Louvre has not been agreed upon by the various antiquarians who have devoted their studies to the illustration of the monuments of Paris. Some will have it that there existed, on a portion of the present site of the *Louvre*, a building of that name in the time of Dagobert, one of the Frankish Kings of the first race; others again assert that it was founded even before Dagobert, under

Childebert in the sixth century. Louis le Gros surrounded it with ramparts, and received there the homage of his vassals. It was Francis the First who formed the project of removing this first edifice, and constructing a nobler one in its stead, with the aid of all the appliances which advancing civilization had then placed at the command of European Sovereigns. The King sought out an Italian artist, Sebastian Serlo, to construct the new palace, (not long after destined to be termed the *vieux* Louvre) but the Italian, with a rare frankness, declared that the plans of a native artist, Pierre Lescot, were superior to his own, and, under the direction of this latter, the building was undertaken. It received many accessions under the succeeding reigns, and during that of Louis the Fourteenth, its history presents us with a circumstance of considerable interest. The minister Colbert threw open to public competition the enterprise of completing the intended improvements. At the exhibition of the models and plans furnished by the artists of the day, one design attracted, by its superior merit, the attention of all. It bore no name; but it was soon discovered that it was the work, not of an architect, but of a *physician*, Claude Perrault. The French artists squabbled with one another, and condemned the man of drugs. To terminate the *lutte*, Bernini, a celebrated Italian architect, was summoned to France, and his passage through the Kingdom more resembled the progress of a Sovereign, or triumph of a general, than the journey of an artist. He received the homage of the authorities in all the towns through which he passed, and the provinces loaded him with presents. The officers of the royal household served at his table, and, at his approach to Paris, the steward of the Palace waited on him to receive his commands. These distinctions turned the head of our friend, who did not take sufficient pains to avoid a conflict with the susceptibilities of native artists. He trod upon the corns of the French architects; *en revanche*, they kicked his shins (metaphorically speaking.) Eight months of this rowing were enough for the proud and refined Italian, who was finally hustled out of France, covered with honours and pensions, but leaving the field in possession of the enemy. Colbert swore by the medicine-man, but though an ardent admirer of his plans, he thought it prudential to associate with him practical men, with less genius certainly, but with more professional experience than the amateur, Perrault. A committee, presided by the minister, was speedily formed, and the fortunate projector devoted his energy to the progress of the works, but they

were interrupted by the war, and had been previously interfered with by the expenditure at Versailles, then in course of erection. Since then, the fortunes of the Louvre have alternately flourished and suffered reverses, and, at length, it has been given to the Emperor, Napoleon the Third, chosen for the purpose by fate from amidst many princes and governments, from Louis le Grand to our day, to complete the architectural adornment of that spot, whereon it is asserted that one of the Kings of the Frankish race had erected an edifice twelve hundred years ago. The first stone of the new constructions at the *Louvre* was laid in July 1852, and the buildings are rapidly progressing to completion under the superintendence of the architect, M. Visconti. The greatest attraction, perhaps, at the Louvre is now, and has been for some time past, the picture of the Conception by Murillo, which was purchased at the sale of the effects of Marshal Soult for the incredible sum of 615,300 francs or £24,300 and odd pounds sterling. It is disgraceful to the age, that such a sum should have been given for such a picture. Notwithstanding the mob of sensible people who are ecstatic according to the prevailing fashion of the day, and fly with terror from the expression of independent opinion, it is now admitted that the picture in question is not one of Murillo's best. The features of the Madonna, as represented in this over-rated picture, are positively mean, nor can the expression of the eyes, a merit possessed in common with a hundred paintings on sacred subjects, redeem its too patent defects. Such is the truth. You will be able to judge for yourself next summer. There is a Madonna, by the same artist, quite close to it, which possesses more merit than that which cost so enormous a sum. It is, at least, free from that surprising meanness of feature which strikes you at once, on seeing the famed Conception, for the first time, and painfully clings to you on seeing it for the last. One turns away from it with a feeling which the word disappointment cannot describe. I have seen this picture repeatedly, and noted it carefully. The man who can succeed in showing it to be worth £24,000 will deserve that sum for recompense.

Directly opposite the Murillo, is a magnificent picture, on an immense scale, by Paul Veronese, the subject of which is the marriage feast at Canaan. The costume is that of the period of the painter, and is painted with a minuteness of detail which in no way interferes with the general effect. The eye revels in all the fancy and luxury of the often fantastic, but never ungraceful, costumes of the great

age of Italian painting, a time when art had only to turn her eyes on the world of every day life around her, to find there whatever might be worthiest of her regard. She cannot be quite so content with the hat and tails of the nineteenth century. The figure of our Lord forms an exception to those which cover the rest of the canvass. He is represented in the conventional costume which is ascribed to him in all paintings in which his person is introduced—the loose robe, with its numerous folds. Costume is, strictly speaking, an essential feature in a picture, or, if that be saying too much, to assert that it is a mere accessory of little importance is saying too little. The anachronism which represents the contemporaries of our Lord in the attire of the middle ages, is open to grave objection, but it is a fault to which we become speedily reconciled, by the picturesque forms, and richness of colour, which seem rather to have been devised for the purposes of the painter than for the convenience of the public, or the wear and tear of every day life. You remember a splendid picture at the Irish Exhibition last year, "Peter denying Christ," by Gerard Segers, in which the figures were painted in the costume of the age and country of the artist. An anachronism, truly, yet who could have wished it otherwise? We wish that every artistic freak could be as easily pardoned; but what will you say of *this*:—after ascending the staircase of the Louvre, turn to your right, and, in the first *salon* you enter, you will see a number of busts of distinguished artists and others, one of which, that of a modern personage, exceeds in absurdity all that it has been my lot to see of the ridiculous, on canvass or in stone, in England or in France. The sculptor has faithfully and accurately represented, in marble, an indurated tumour on the cheek of his subject, and this unsightly protuberance, the effect of which is to pull the mouth to one side, and disfigure the face in a manner which would be ludicrous, were it not painful to the spectator, has been exactly reproduced by the chisel of the artist. This work—are we to say of art?—is but one example amongst many of the tendency to extremes which has afflicted France so frequently in matters of more consequence, and of greater influence on human progress and human happiness, than even the arts. "Paint me as I am," said Cromwell, the command of a great man, which might have been well obeyed by a great artist. But Cromwell well knew, as did the painter to whom he sat for his portrait, that his features, though not comely, were not unsightly. Homeliness of feature is one thing; deformity, whether natural or

the result of disease, quite another. The former may be dignified by, or even impart worth to, the productions of art; as amply witness many, I might say most, of the paintings of the Flemish school. But, surely, to represent the suspension by disease of the laws of nature, as we see them interrupted in exceptional cases, is widely different from fidelity to the truth of nature in its normal manifestations. The cultivation of "High Art," it must be admitted, has been attended by some evils. Is that a reason for the pursuit of Low Art? And, can anything be more vulgar, degrading, *low*, in art, than the minute representation of an immense tumour occupying the cheek, and the corner of the mouth, on one side of the "human face divine"?

Amongst the paintings of the French school, I was most struck by those of Joseph Vernet, whom your readers must not confound with Horace Vernet. The latter is famous for his battle-pieces, and is still living. The former flourished in the last century, and painted all the principal sea-ports of France. These pictures are all of them most carefully finished, and some of them remind one of the ever-glorious Claude. Desportes has been a successful painter of animals, but I have been spoiled by Landseer. Once you become accustomed to *his* pictures, you are ever after dissatisfied even with excellent merit in the school of animal-painters. As for David and Lebrun, I never could cotton to them. People here in France were classic-mad during the era of these painters, and modern art appears almost always pretentious and vulgar when it departs—and how often does it not depart—from the national life and manners of modern times, of that Europe which rose upon the ruins of the Roman Empire. Despite of David, and of the Convention, it is not natural to modern people to act, think, speak, or dress as the Greeks and Romans did.

A regular notice of the Louvre would be impossible in the limits of this paper. It would require, indeed, a paper to *itself*, and yet I can still find room to notice some curiosities of the greatest interest which adorn the museums of the Louvre, amongst them the sword, sword-belt and spurs of Charlemagne, his sceptre, and a crown, said to have belonged to him, which Napoleon wore at his coronation. There is a curious anecdote of Charlemagne, and his times (upwards of a thousand years ago) to which we are indebted to a contemporary historian. The Emperor of the West, left, by will, his Empire to his three sons, bequeathing (if, indeed, it were in his

power to make any such bequest) to the people the liberty of choosing their own ruler, after the death of the three immediate successors of Charlemagne, provided their choice should fall upon a prince of the blood royal. Charlemagne's will further indicated that, if any differences should arise between his sons, they should have recourse, not to the decision of war, or to single combat, but to the judgment of the Cross or, as it was sometimes called, the judgment of God. This process consisted in conducting the disputants to the church, where they were to hold up their arms in the form of a cross, their hands high in the air, above their heads, during the celebration of mass, and he who, or whose champion, possessed the necessary strength longest to maintain his arms in that trying position, was held to have established his claim, and to have rightfully gained his cause.

Many articles personally used by the Emperor Napoleon are at the Louvre—his sword is the fittest pendant to that of the Emperor of the West. You may feast your eyes with his consular and imperial robes, with the coat he wore at the battle of Marengo, and with the famous "redingote grise." Amongst other articles, I was surprised to see a hat he wore at St. Helena, and, stranger still, the stirrups and bridle-bit which he used at Waterloo. It is not usual with any people to display in its museums the memorials of disaster and defeat, unless with the sinister intention to keep alive the smouldering embers of national hatred. Yet this we cannot believe to be the object of the present government—at least *for* the present—for there is no knowing what we may live to see. Be this as it may, I cannot forget that I have also seen at the museum of the *Hôtel Cluny*, the stirrups used by Francis the First at the battle of Pavia, which was the Waterloo of that age, on whose bloody field, in the memorable words of the French Sovereign, "all was lost, but honour." To return to the Louvre: in the latter museum there is a fan and shoe of the beautiful and unfortunate Marie Antoinette, and some articles which belonged to her husband. There is also a very curious map drawn by the latter, on a round table, for the instruction of the Dauphin. Such might have been the object the King proposed to himself, but he certainly adopted means for an opposite end. I have seldom seen a map, or other instrument of education, more ingeniously devised for confusing the mind of the student. Both hemispheres are contained, in this tabular map executed by Louis the Sixteenth, in the same circle, and are

coextensive with that circle. How can that be, you ask in amazement? well, you shall hear. The different continents are made to intersect each other, one hemisphere having been first delineated within the circle of the table, and the other drawn over that. The outlines of the land of the oriental hemisphere are in black, and the names of the places in black; the western hemisphere is drawn with red lines, the names of its places being in red, but Europe, Africa, and New Holland are represented grey, and the Ocean white. It will enable you to form some practical idea of this ingenious stupidity, if you will roughly sketch one hemisphere on a piece of transparent paper and place it directly over a map of the other hemisphere, taking care that your transparent paper exactly coincides in size and form with the circle of the hemisphere over which you may place it. But the confusion you will have realized by this proceeding will give you only a faint idea of the "confusion worse confounded" of this most extraordinary map of Louis the Sixteenth's devising, by which he effected a geographical revolution whose *bizarreries* form a sort of hieroglyphical reading of that revolution in France, and in all European society, of which he was, himself, the chief victim.

It is time to lay aside my pen for a season. If you have borne with me this far, I cannot but express a hope that the interest of the subject may once again afford you occasion to excuse any deficiency of illustration with which your correspondent may be chargeable. *Au revoir.*

Paris, November 12th, 1854.

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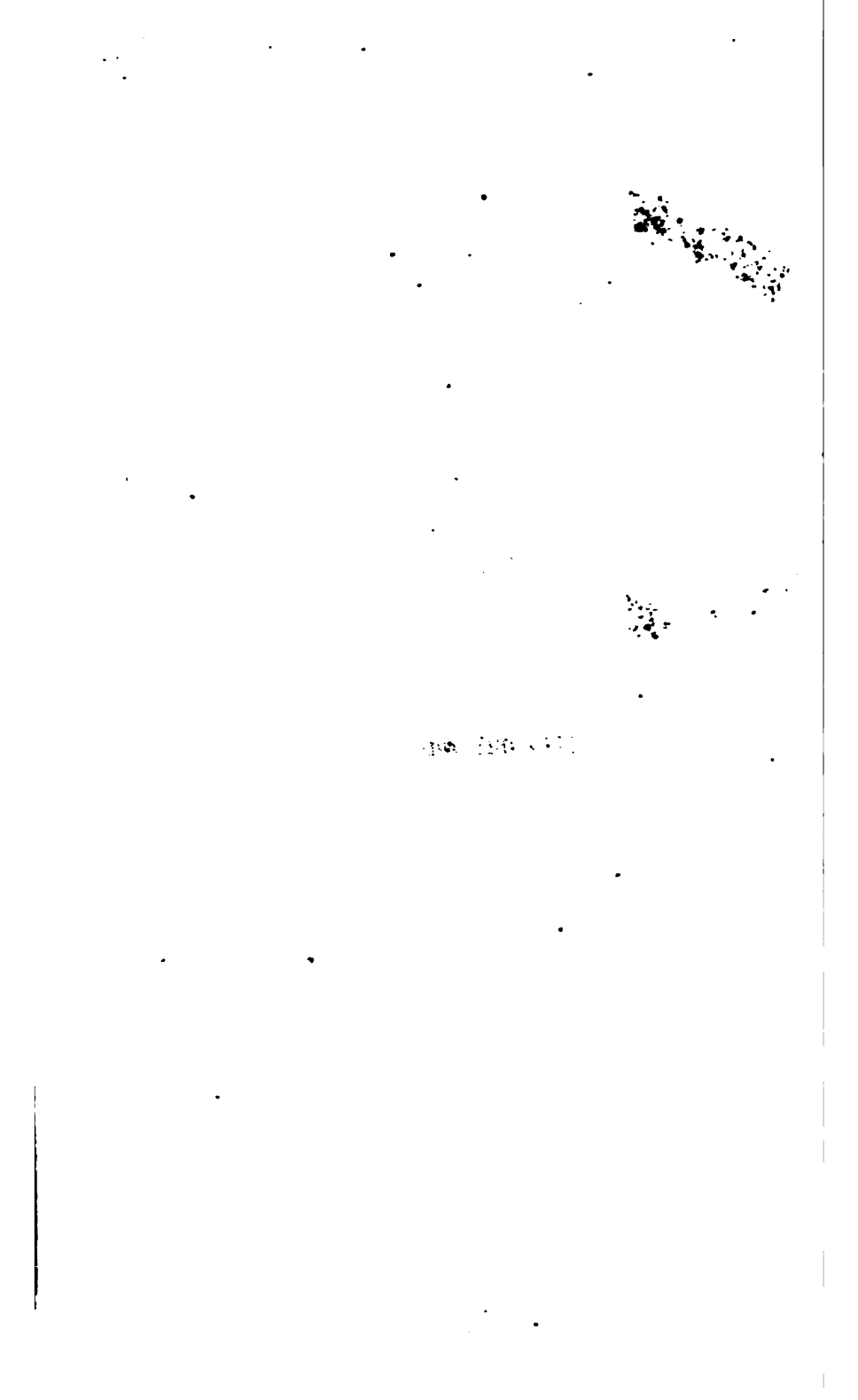
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